

2015 -- H 5262 SUBSTITUTE A AS AMENDED

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LC000805/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO HEALTH AND SAFETY -- DIVISION OF FIRE SAFETY

Introduced By: Representatives Winfield, Casey, Costantino, Hull, and Morin

Date Introduced: January 29, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-28.2-11 of the General Laws in Chapter 23-28.2 entitled
2 "Division of Fire Safety" is hereby amended to read as follows:

3 **23-28.2-11. Investigation of fires and attempted fires.** -- (a) The state fire marshal,
4 and/or any of the deputy state fire marshals or assistant state fire marshals, may investigate any
5 fire or apparently attempted fire, and shall investigate the cause, origin, and circumstances of
6 every fire of suspicious origin, by which property has been damaged or destroyed, or apparently
7 attempted fire, and any fire where a fatality occurs as the result of the fire and so far as it is
8 possible determine the cause of the fire. The investigation shall begin immediately after the
9 occurrence of the fire, and local government officials shall cooperate completely and assist the
10 state fire marshal's office in all phases of the investigation.

11 (b) It shall be the responsibility of the local authority having jurisdiction to notify the
12 state fire marshal's office of any fire of suspicious or incendiary origin or where death may have
13 resulted from the fire. The fire marshal shall adopt notification procedures.

14 (c) The state fire marshal, and/or any of the deputy state fire marshals or assistant state
15 fire marshals, shall prohibit any and all insurance adjusters from engaging in any solicitation or
16 inspection or any physical presence on the premises under investigation until twenty-four (24)
17 hours after either the municipal fire department and/or the state fire marshal, deputy state fire
18 marshal or assistant state fire marshal releases control of the premises back to its legal owner(s)
19 or occupant(s) unless the insurance adjuster is accompanied by and acting with permission of the

1 [premises' legal owner.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO HEALTH AND SAFETY -- DIVISION OF FIRE SAFETY

1 This act would authorize state fire marshals to prohibit public adjusters from physical
2 presence on and solicitation or inspection of the premises under investigation until twenty-four
3 (24) hours after control of the premises is released to its owner or occupant unless they are
4 accompanied by and acting with permission of the legal owner.

5 This act would take effect upon passage.

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