

SENATE BILL NO. 25—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE STATE FIRE MARSHAL DIVISION  
OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 8, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to fire protection.  
(BDR 42-249)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to fire protection; revising the composition of the State Fire Marshal Division within the Department of Public Safety; expanding the list of facilities for which the State Fire Marshal is required to enforce laws and adopt certain regulations to include cannabis cultivation facilities and cannabis production facilities; eliminating the requirement that the State Fire Marshal cooperate with the State Forester Firewarden to mitigate the risk of certain fires; revising provisions relating to the investigation of certain fires by the State Fire Marshal to include a fire that results in an injury or certain financial losses; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law establishes within the Department of Public Safety the State Fire
- 2 Marshal Division, which consists of the Fire Protection and Control Section, Fire
- 3 Investigation Section, Public Education Section, Fire Service Training Section and
- 4 Fire Data Section. (NRS 477.010) **Section 1** of this bill eliminates all of the
- 5 statutory sections comprising the State Fire Marshal Division.
- 6 Existing law requires, amongst other things, the State Fire Marshal to: (1)
- 7 enforce laws and adopt regulations related to the safety, access, means and
- 8 adequacy of exits in case of fire at certain institutions, facilities and buildings; (2)
- 9 cooperate with the State Forester Firewarden in mitigating the risk of fire hazard
- 10 from vegetation in the State; and (3) with certain exceptions, investigate in certain
- 11 counties any fire which results in a death or which is of a suspicious nature.



12 (NRS 477.030) **Section 2** of this bill: (1) expands the list of facilities for which the  
13 State Fire Marshal enforces laws and adopts regulations to include cannabis  
14 cultivation facilities and cannabis production facilities; (2) removes the requirement  
15 that the State Fire Marshal cooperate with the State Forester Firewarden in  
16 mitigating the risk of fire hazard from vegetation in the State; and (3) expands the  
17 requirement that the State Fire Marshal investigate certain fires in certain counties  
18 to include the investigation of any fire which results in an injury or a financial loss  
19 greater than \$2,000,000.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 477.010 is hereby amended to read as follows:  
2 477.010 ~~[+]~~ The State Fire Marshal Division is hereby  
3 established in the Department of Public Safety.  
4 ~~[2. The Division consists of the Fire Protection and Control~~  
5 ~~Section, the Fire Investigation Section, the Public Education~~  
6 ~~Section, the Fire Service Training Section and the Fire Data~~  
7 ~~Section.]~~

8 **Sec. 2.** NRS 477.030 is hereby amended to read as follows:  
9 477.030 1. Except as otherwise provided in this section, the  
10 State Fire Marshal shall enforce all laws and adopt regulations  
11 relating to:

- 12 (a) The prevention of fire.
- 13 (b) The storage and use of:
  - 14 (1) Combustibles, flammables and fireworks; and
  - 15 (2) Explosives in any commercial construction, but not in  
16 mining or the control of avalanches,  
17 ➤ under those circumstances that are not otherwise regulated by the  
18 Division of Industrial Relations of the Department of Business and  
19 Industry pursuant to NRS 618.890.

20 (c) The safety, access, means and adequacy of exit in case of fire  
21 from mental and penal institutions, facilities for the care of children,  
22 foster homes, residential facilities for groups, facilities for  
23 intermediate care, nursing homes, hospitals, schools, *cannabis*  
24 *cultivation facilities, cannabis production facilities*, all buildings,  
25 except private residences, which are occupied for sleeping purposes,  
26 buildings used for public assembly and all other buildings where  
27 large numbers of persons work, live or congregate for any purpose.  
28 As used in this paragraph ~~[, "public"]~~:

- 29 (1) *"Cannabis cultivation facility" has the meaning*  
30 *ascribed to it in NRS 678A.090.*
- 31 (2) *"Cannabis production facility" has the meaning*  
32 *ascribed to it in NRS 678A.125.*
- 33 (3) *"Public assembly"* means a building or a portion of a  
34 building used for the gathering together of 50 or more persons for



1 purposes of deliberation, education, instruction, worship,  
2 entertainment, amusement or awaiting transportation, or the  
3 gathering together of 100 or more persons in establishments for  
4 drinking or dining.

5 (d) The suppression and punishment of arson and fraudulent  
6 claims or practices in connection with fire losses.

7 (e) The maintenance and testing of:

8 (1) Fire dampers, smoke dampers and combination fire and  
9 smoke dampers; and

10 (2) Smoke control systems.

11 ➔ Except as otherwise provided in subsection ~~[12,] 11~~, the  
12 regulations of the State Fire Marshal apply throughout the State, but  
13 except with respect to state-owned or state-occupied buildings, the  
14 State Fire Marshal's authority to enforce them or conduct  
15 investigations under this chapter does not extend to a school district  
16 except as otherwise provided in NRS 393.110, or a county whose  
17 population is 100,000 or more or which has been converted into a  
18 consolidated municipality, except in those local jurisdictions in  
19 those counties where the State Fire Marshal is requested to exercise  
20 that authority by the chief officer of the organized fire department of  
21 that jurisdiction or except as otherwise provided in a regulation  
22 adopted pursuant to paragraph (b) of subsection 2.

23 2. The State Fire Marshal may:

24 (a) Set standards for equipment and appliances pertaining to fire  
25 safety or to be used for fire protection within this State, including  
26 the threads used on fire hose couplings and hydrant fittings; and

27 (b) Adopt regulations based on nationally recognized standards  
28 setting forth the requirements for fire departments to provide  
29 training to firefighters using techniques or exercises that involve the  
30 use of fire or any device that produces or may be used to produce  
31 fire.

32 3. ~~[The State Fire Marshal shall cooperate with the State  
33 Forester Firewarden in the mitigation of the risk of a fire hazard  
34 from vegetation in this State pursuant to paragraph (g) of subsection  
35 1 of NRS 472.040.~~

36 ~~—4.]~~ The State Fire Marshal shall cooperate with the Division of  
37 Child and Family Services of the Department of Health and Human  
38 Services in establishing reasonable minimum standards for  
39 overseeing the safety of and directing the means and adequacy of  
40 exit in case of fire from foster homes.

41 ~~[5.]~~ 4. The State Fire Marshal shall coordinate all activities  
42 conducted pursuant to 15 U.S.C. §§ 2201 et seq. and receive and  
43 distribute money allocated by the United States pursuant to that act.

44 ~~[6.]~~ 5. Except as otherwise provided in subsection ~~[10,] 9~~, the  
45 State Fire Marshal shall:



1 (a) Investigate any fire which occurs in a county other than one  
2 whose population is 100,000 or more or which has been converted  
3 into a consolidated municipality, and from which ~~†~~ *an injury or*  
4 *death or financial loss greater than \$2,000,000* results or which is  
5 of a suspicious nature.

6 (b) Investigate any fire which occurs in a county whose  
7 population is 100,000 or more or which has been converted into a  
8 consolidated municipality, and from which ~~†~~ *an injury or death or*  
9 *financial loss greater than \$2,000,000* results or which is of a  
10 suspicious nature, if requested to do so by the chief officer of the  
11 fire department in whose jurisdiction the fire occurs.

12 (c) Cooperate with the Commissioner of Insurance, the Attorney  
13 General and the Fraud Control Unit for Insurance established  
14 pursuant to NRS 228.412 in any investigation of a fraudulent claim  
15 under an insurance policy for any fire of a suspicious nature.

16 (d) Cooperate with any local fire department in the investigation  
17 of any report received pursuant to NRS 629.045.

18 (e) Provide specialized training in investigating the causes of  
19 fires if requested to do so by the chief officer of an organized fire  
20 department.

21 ~~†~~ 6. The State Fire Marshal shall put the National Fire  
22 Incident Reporting System into effect throughout the State and  
23 publish at least annually a summary of data collected under the  
24 System.

25 ~~†~~ 7. The State Fire Marshal shall provide assistance and  
26 materials to local authorities, upon request, for the establishment of  
27 programs for public education and other fire prevention activities.

28 ~~†~~ 8. The State Fire Marshal shall:

29 (a) Except as otherwise provided in subsection ~~†~~ 11 and NRS  
30 393.110, assist in checking plans and specifications for construction;

31 (b) Provide specialized training to local fire departments; and

32 (c) Assist local governments in drafting regulations and  
33 ordinances,

34 ➤ on request or as the State Fire Marshal deems necessary.

35 ~~†~~ 9. Except as otherwise provided in this subsection, in a  
36 county other than one whose population is 100,000 or more or  
37 which has been converted into a consolidated municipality, the State  
38 Fire Marshal shall, upon request by a local government, delegate to  
39 the local government by interlocal agreement all or a portion of the  
40 State Fire Marshal's authority or duties if the local government's  
41 personnel and programs are, as determined by the State Fire  
42 Marshal, equally qualified to perform those functions. If a local  
43 government fails to maintain the qualified personnel and programs  
44 in accordance with such an agreement, the State Fire Marshal shall  
45 revoke the agreement. The provisions of this subsection do not



1 apply to the authority of the State Fire Marshal to adopt regulations  
2 pursuant to paragraph (b) of subsection 2.

3 ~~11.1~~ 10. The State Fire Marshal may, as a public safety officer  
4 or as a technical expert on issues relating to hazardous materials,  
5 participate in any local, state or federal team or task force that is  
6 established to conduct enforcement and interdiction activities  
7 involving:

- 8 (a) Commercial trucking;
- 9 (b) Environmental crimes;
- 10 (c) Explosives and pyrotechnics;
- 11 (d) Drugs or other controlled substances; or
- 12 (e) Any similar activity specified by the State Fire Marshal.

13 ~~11.2~~ 11. Except as otherwise provided in this subsection, any  
14 regulations of the State Fire Marshal concerning matters relating to  
15 building codes, including, without limitation, matters relating to the  
16 construction, maintenance or safety of buildings, structures and  
17 property in this State:

18 (a) Do not apply in a county whose population is 700,000 or  
19 more which has adopted a code at least as stringent as the  
20 International Fire Code, the International Building Code and  
21 the International Wildland-Urban Interface Code, published by the  
22 International Code Council. To maintain the exemption from the  
23 applicability of the regulations of the State Fire Marshal pursuant to  
24 this subsection, the code of the county must be at least as stringent  
25 as the most recently published edition of the International Fire Code,  
26 the International Building Code and the International Wildland-  
27 Urban Interface Code within 2 years after publication of such an  
28 edition.

29 (b) Apply in a county described in paragraph (a) with respect to  
30 state-owned or state-occupied buildings or public schools in the  
31 county and in those local jurisdictions in the county in which the  
32 State Fire Marshal is requested to exercise that authority by the chief  
33 executive officer of that jurisdiction. As used in this paragraph,  
34 "public school" has the meaning ascribed to it in NRS 385.007.

35 **Sec. 3.** This act becomes effective upon passage and approval.







