

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Fire Marshal		CONTACT PERSON Mark Lampton, Senior Attorney	TELEPHONE NUMBER (601)359-1074	
ADDRESS P.O. Box 79		CITY Jackson	STATE MS	ZIP 39205
EMAIL Mark.Lampton@mid.ms.gov	SUBMIT DATE 04/15/24	Name or number of rule(s): Miss. Admin. Code, Title 19, Part 7, Chapter 1 (Mississippi Electronic Protection Act Rules and Regulations)		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule changes clarify (1) the license application requirements, (2) the manner for display of license information on company vehicles, (3) the extent that on-line courses may meet continuing education requirements, and (4) the requirement to reset system components upon cancellation of contract. Other amendments are stylistic only, and include updated source citations.

Specific legal authority authorizing the promulgation of rule: Miss. Code § 73-69-7.

List all rules repealed, amended, or suspended by the proposed rule: Miss. Admin. Code, Title 19, Part 7, Chapter 1, Rules 1.05, 1.07, 1.08.

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) ☒ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing ☒ Other (specify): 09/01/2024	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Mark Lampton, Senior Attorney

Signature of person authorized to file rules: /s/ Mark Lampton 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by _____	 Accepted for filing by <u>27435</u> 	Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

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ADDRESS P.O. Box 79	CITY Jackson	STATE MS
EMAIL Mark.Lampton@mid.ms.gov	ZIP 39205	
DESCRIPTIVE TITLE OF PROPOSED RULE Miss. Admin. Code, Title 19, Part 7, Chapter 1 (Mississippi Electronic Protection Act Rules and Regulations)		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code § 73-69-7	Reference to Rules repealed, amended or suspended by the Proposed Rule: Miss. Admin. Code, Title 19, Part 7, Chapter 1, Rules 1.05, 1.07, 1.08	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: The Amendments proposed clarify (1) the license application requirements, (2) the manner for display of license information on company vehicles, (3) the extent that on-line courses may meet continuing education requirements, and (4) the requirement to reset system components upon cancellation of contract. The benefit to the industry is clarification of the statutory requirements and expectations placed upon them. Consumers will benefit from improved professionalism by industry participants.
2. Briefly describe the need for the proposed rule: The amendments are needed to make identification of licensed industry participants easier for consumers and to clarify professional requirements of licensees.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:
The Amendment of the rules will benefit consumers by making identification of industry professionals easier and clarify professional requirements of licensees to improve uniformity.
4. Estimated Cost of implementing proposed action:
 - a. To the agency
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - b. To other state or local government entities

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

c. Cost:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

d. Economic Benefit:

☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation:
The number of Electronic Protection Act company licensees is 375.

- b. Projected costs for small businesses to comply:

Class A licensees were already required to have the license number on company vehicles, but clarification of location might require some to add the license number to additional locations on their vehicles.

- c. Statement of probable effect on impacted small businesses:

The most probable effect of the proposed amendments will be a better understanding by licensees of the professional education requirements and how they may be fulfilled and improved interaction with customers.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☒ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☒ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form: These Estimates were derived from records on file with the Mississippi State Fire Marshal's Office, and through consultation with representatives in the electronic protection industry.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? A person may send comments, suggestions, and a request for an oral proceeding to:

Mississippi Insurance Dept.
Attn: Mark Lampton, Senior Attorney
P.O. Box 79
Jackson, MS 39205-0079
Email: Mark.Lampton@mid.ms.gov

SIGNATURE <i>/s/ Mark Lampton</i> 	TITLE Senior Attorney
DATE April 15, 2024	PROPOSED EFFECTIVE DATE OF RULE September 1, 2024