

# HOUSE BILL REPORT

## SB 6403

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### As Reported By House Committee On:

Government Operations

**Title:** An act relating to fire investigation.

**Brief Description:** Revising the responsibility for fire investigation.

**Sponsors:** Senators Winsley, Haugen, Hale, Sheldon, Goings and Hochstatter.

### **Brief History:**

#### **Committee Activity:**

Government Operations: 2/20/96, 2/23/96 [DPA].

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## HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass as amended. Signed by 15 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Conway; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; Scheurman; D. Schmidt; Van Luven and Wolfe.

**Staff:** Bill Lynch (786-7092).

**Background:** The State Fire Protection Policy Board was directed by the Legislature during the 1995 session to conduct a study on the overlapping and confusing jurisdiction and responsibilities of local governments concerning fire investigation.

Among other findings, the board found that confusion exists in statute regarding the responsibility for investigating the origin, cause, and extent of loss of all fires; responsibilities within fire districts needed clarification; many small cities and towns with volunteer fire departments lack the resources to carry out responsibilities of investigating fire cause and origin; and fire incident data collection is insufficient.

**Summary of Amended Bill:** The responsibility for investigating the origin, cause, circumstances, and extent of loss of all fires is assigned to (a) the chief of the fire department within any city or town; and (b) the county fire marshal or other fire official designated by the county legislative authority within the unincorporated area.

Any city, town, county, or fire protection district may enter into an interlocal agreement to meet the responsibilities required by this act.

If the cause of a fire is determined to be suspicious or criminal in nature, the person responsible for conducting the fire investigation must immediately report the results of the investigation to the local law enforcement agency and the State Fire Marshal.

Any law enforcement agency, sheriff, or chief of police may assist in the investigation of all fires within his or her jurisdiction.

**Amended Bill Compared to Original Bill:** Language is added to clarify that no one may enter an emergency scene until permitted by the officer in charge of the emergency.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill implements the findings of the report prepared by the State Fire Protection Policy Board. It helps clarify responsibilities of fire investigations and will aid in data collection. Lack of resources has made it difficult for small jurisdictions to spot arson trends. The amendment is consistent with the State Building Code. All parties support it.

**Testimony Against:** None.

**Testified:** Senator Winsley, prime sponsor; David Lynam, Clark County; and Peter Spiller, representing Washington Fire Commissioners Association, Washington State Association of Fire Chiefs, and Washington Council of Fire Fighters.