

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1170

66th Legislature
2019 Regular Session

Passed by the House April 27, 2019
Yeas 98 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 27, 2019
Yeas 47 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1170** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1170

AS AMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Housing, Community Development & Veterans (originally sponsored by Representatives Griffey and Goodman)

READ FIRST TIME 02/01/19.

1 AN ACT Relating to fire service mobilization; reenacting and
2 amending RCW 43.43.960; repealing 2015 c 181 s 5 (uncodified);
3 providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.43.960 and 2015 c 181 s 2 are each reenacted and
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this subchapter.

9 (1) "All risk resources" means those resources regularly provided
10 by fire departments, fire districts, and regional fire protection
11 service authorities required to respond to natural or man-made
12 incidents, including but not limited to:

- 13 (a) Wild land fires;
- 14 (b) Landslides;
- 15 (c) Earthquakes;
- 16 (d) Floods; and
- 17 (e) Contagious diseases.

18 (2) "Chief" means the chief of the Washington state patrol.

19 (3) "Fire chief" includes the chief officer of a statutorily
20 authorized fire agency, or the fire chief's authorized
21 representative. Also included are the department of natural resources

1 fire control chief, and the department of natural resources regional
2 managers.

3 (4) "Jurisdiction" means state, county, city, fire district,
4 regional fire protection service authority, or port district units,
5 or other units covered by this chapter.

6 (5) "Mobilization" means that all risk resources regularly
7 provided by fire departments, fire districts, and regional fire
8 protection service authorities beyond those available through
9 existing agreements will be requested and, when available, sent in
10 response to an emergency or disaster situation that has exceeded the
11 capabilities of available local resources. During a large scale
12 emergency, mobilization includes the redistribution of regional or
13 statewide risk resources to either direct emergency incident
14 assignments or to assignment in communities where resources are
15 needed. (~~(Fire department)~~) All risk resources may not be mobilized to
16 assist law enforcement with police activities during a civil protest
17 or demonstration, or other exercise by the people of their
18 constitutionally protected First Amendment rights, or other protected
19 concerted activity, however, fire departments, fire districts, and
20 regional fire protection service authorities are not restricted from
21 providing medical care or aid and firefighting when mobilized for any
22 purpose.

23 When mobilization is declared and authorized as provided in this
24 chapter, all risk resources regularly provided by fire departments,
25 fire districts, and regional fire protection service authorities
26 including those of the host fire protection authorities, i.e.
27 incident jurisdiction, shall be deemed as mobilized under this
28 chapter, including those that responded earlier under existing mutual
29 aid or other agreement. All nonhost fire protection authorities
30 providing resources in response to a mobilization declaration shall
31 be eligible for expense reimbursement as provided by this chapter
32 from the time of the mobilization declaration.

33 This chapter shall not reduce or suspend the authority or
34 responsibility of the department of natural resources under chapter
35 76.04 RCW.

36 (6) "Mutual aid" means emergency interagency assistance provided
37 without compensation under an agreement between jurisdictions under
38 chapter 39.34 RCW.

39 (7) "State fire marshal" means the director of fire protection in
40 the Washington state patrol.

1 **Sec. 2.** 2015 c 181 s 5 (uncodified) is repealed.

2 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
3 preservation of the public peace, health, or safety, or support of
4 the state government and its existing public institutions, and takes
5 effect July 1, 2019.

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