

SENATE BILL REPORT

SB 5611

AS OF FEBRUARY 23, 1993

Brief Description: Modifying provisions relating to arson.

SPONSORS: Senators Erwin, M. Rasmussen, Amondson and Oke

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Jon Carlson (786-7459)

Hearing Dates: February 26, 1993

BACKGROUND:

Under current law, the chief of each organized fire department must provide statistical information and data to the Director of the Department of Community Development, through the director of fire protection, on each fire occurring within a fire department's jurisdiction. The director of Community Development, through the director of fire protection, must compile a report from the information and data collected and distribute a copy annually to each chief fire official in the state.

Smoke detection devices are required for all dwelling units built or manufactured after 1980. Similarly, smoke detection devices must be installed inside all dwelling units occupied by persons other than the owner after 1981. Any owner or tenant failing to comply with these provisions is subject to a fine of not more than \$200.

Arson in the first degree is a level VIII on the sentencing grid (sentencing midpoint of two years assuming no prior offense history). Arson in the second degree is a level IV (sentencing midpoint of six months), and reckless burning is a level I (sentence of 0-60 days).

SUMMARY:

The Department of Community Development's annual report of information and data pertaining to fires must be annually cross-checked against the statistical information collected by the arson alarm foundation or other similar insurance industry arson information register.

The Department of Community Development, through the division of fire protection, is required to study and compile a report on the feasibility of implementing an arson protection program. The report's focus is centered on screening potential future arsonists among children. The department must deliver the report by December 1, 1993.

An owner or tenant who fails to comply with the provisions requiring smoke detection devices in dwellings is guilty of a misdemeanor.

Arson in the first degree is a level IX on the sentencing grid (sentencing midpoint of three years assuming no prior offense history). Arson in the second degree is a level V (sentencing midpoint of nine months), and reckless burning is a level II (sentence of 0-90 days).

Appropriation: unspecified

Revenue: none

Fiscal Note: requested

Effective Date: The bill contains an emergency clause and takes effect immediately.