

HOUSE BILL REPORT

HB 1821

*As Reported By House Committee on:
Judiciary*

Title: An act relating to the fraudulent installation of fire protection sprinkle systems.

Brief Description: Making the fraudulent installation of fire protection sprinkler systems a felony.

Sponsor(s): Representatives R. Meyers, Ferguson, Schmidt, Zellinsky, Sheldon, Winsley, D. Sommers, Bowman, Paris, Miller, Riley, R. Johnson, Brough, Silver, Roland, Cooper, Horn, Chandler and Moyer.

Brief History:

Reported by House Committee on:
Judiciary, March 5, 1991, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1821 be substituted therefor, and the substitute bill do pass.*

Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

Staff: Jeff Fishel (786-7191).

Background: Under Washington law, various frauds and swindles are designated as crimes that range in seriousness from misdemeanors to felonies.

Persons convicted of class C felonies are subject to imprisonment for a maximum of five years, a fine of not more than \$10,000, or both. Persons convicted of a gross misdemeanor are subject to imprisonment of up to a year and a fine of not more than \$5,000, or both.

Washington requires that a person or business must be licensed as a fire sprinkler contractor to install fire sprinkler systems. Only the state director of fire protection may issue these licenses. To qualify, the contractor must employ a holder of a certificate of

competency, also issued by the state director of fire protection, meet minimum insurance requirements, and apply to the state director.

Summary of Substitute Bill: A person is guilty of a class C felony if he or she willfully and maliciously constructs, installs, or maintains a fire sprinkler system and knows that the system is inoperable.

A person is also guilty of a class C felony if he or she willfully and knowingly impairs the operation of a sprinkler system.

Substitute Bill Compared to Original Bill: The original bill is not changed, but a section is added making a violation of the licensing requirements a gross misdemeanor.

Fiscal Note: Not requested.

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

Testimony For: Experience of fire inspectors in other states is that there is a potential for deliberate wrongdoing. Inspections have shown systems hooked up to the test valve so tests are impossible to make. An amendment to make licensing violations by fire sprinkler installers a gross misdemeanor was suggested.

Testimony Against: None.

Witnesses: Gordon Walgren, Washington Fire Chiefs Association (pro - with suggestions for an amendment); Paul O'Connor, Fire Sprinkler Advisory Board of Puget Sound (pro); and Otto Jensen, State Fire Chief (pro).