

CERTIFICATION OF ENROLLMENT

SENATE BILL 6403

Chapter 161, Laws of 1996

54th Legislature
1996 Regular Session

FIRE INVESTIGATIONS--RESPONSIBILITIES REVISED

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 2, 1996
YEAS 45 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 29, 1996
YEAS 86 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 25, 1996

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6403** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 25, 1996 - 4:40 p.m.

**Secretary of State
State of Washington**

SENATE BILL 6403

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senators Winsley, Haugen, Hale, Sheldon, Goings and Hochstatter

Read first time 01/15/96. Referred to Committee on Government Operations.

1 AN ACT Relating to fire investigation; and amending RCW 48.48.060.

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

3 **Sec. 1.** RCW 48.48.060 and 1995 c 369 s 28 are each amended to read
4 as follows:

5 ~~((1) The chief of each organized fire department, the sheriff or~~
6 ~~other designated county official, and the designated city or town~~
7 ~~official shall investigate the cause and origin, and document extent of~~
8 ~~damage of all fires occurring within their respective jurisdictions, as~~
9 ~~determined by this subsection, and shall forthwith notify the chief of~~
10 ~~the Washington state patrol, through the director of fire protection,~~
11 ~~of all fires of criminal, suspected, or undetermined cause occurring~~
12 ~~within their respective jurisdictions. The county fire marshal shall~~
13 ~~also be notified of and investigate all such fires occurring in~~
14 ~~unincorporated areas of the county. Fire departments shall have the~~
15 ~~responsibility imposed by this subsection for areas within their~~
16 ~~jurisdictions. Sheriffs or other designated county officials shall~~
17 ~~have responsibility imposed by this subsection for county areas not~~
18 ~~within the jurisdiction of a fire department, unless such areas are~~
19 ~~within the boundaries of a city or town, in which case the designated~~

1 ~~city or town official shall have the responsibility imposed by this~~
2 ~~subsection. For the purposes of this subsection, county officials~~
3 ~~shall be designated by the county legislative authority, and city or~~
4 ~~town officials shall be designated by the appropriate city or town~~
5 ~~legislative or executive authority. In addition to the responsibility~~
6 ~~imposed by this subsection, any sheriff or chief of police may assist~~
7 ~~in the investigation of the cause and origin, and document extent of~~
8 ~~damage of all fires occurring within his or her respective~~
9 ~~jurisdiction.)) (1) The responsibility for investigating the origin,~~
10 ~~cause, circumstances, and extent of loss of all fires shall be assigned~~
11 ~~as follows:~~

12 (a) Within any city or town, the chief of the fire department;

13 (b) Within unincorporated areas of a county, the county fire
14 marshal, or other fire official so designated by the county legislative
15 authority.

16 (2) No fire marshal, or other person, may enter the scene of an
17 emergency until permitted by the officer in charge of the emergency
18 incident.

19 (3) Nothing shall prevent any city, town, county, or fire
20 protection district, or any combination thereof, from entering into
21 interlocal agreements to meet the responsibility required by this
22 section.

23 (4) When any fire investigation indicates that the cause of the
24 fire is determined to be suspicious or criminal in nature, the person
25 responsible for the fire investigation shall immediately report the
26 results of said investigation to the local law enforcement agency and
27 the chief of the Washington state patrol, through the state fire
28 marshal.

29 (5) In addition to the responsibility imposed by this section, any
30 law enforcement agency, sheriff, or chief of police may assist in the
31 investigation of the origin, cause, circumstances, and extent of loss
32 of all fires within his or her respective jurisdiction.

33 ~~((+2+))~~ (6) The chief of the Washington state patrol, through the
34 director of fire protection or his or her deputy, may investigate any
35 fire for the purpose of determining its cause, origin, and the extent
36 of the loss. The chief of the Washington state patrol, through the
37 director of fire protection or his or her deputy, shall assist in the
38 investigation of those fires of criminal, suspected, or undetermined
39 cause when requested by the reporting agency. In the investigation of

1 any fire of criminal, suspected, or undetermined cause, the chief of
2 the Washington state patrol and the director of fire protection or his
3 or her deputy, are vested with police powers to enforce the laws of
4 this state. To exercise these powers, authorized deputies must receive
5 prior written authorization from the chief of the Washington state
6 patrol, through the director of fire protection, and shall have
7 completed a course of training prescribed by the Washington state
8 criminal justice training commission.

Passed the Senate March 2, 1996.

Passed the House February 29, 1996.

Approved by the Governor March 25, 1996.

Filed in Office of Secretary of State March 25, 1996.