

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 184

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Pre-filed December 18, 2006, and ordered printed.

Read 2nd time January 17, 2007, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 22, 2007, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 7, 2007. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0734S.01P

AN ACT

To repeal sections 320.200, 320.271, 320.300, and 320.310, RSMo, and to enact in lieu thereof five new sections relating to fire protection.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 320.200, 320.271, 320.300, and 320.310, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections
3 320.200, 320.271, 320.300, 320.310, and 321.333, to read as follows:

320.200. As used in sections 320.200 to [320.270] **320.271**, unless the
2 context requires otherwise, the following terms mean:

3 (1) "Division", the division of fire safety created in section 320.202;

4 (2) "Dwelling unit", one or more rooms arranged for the use of one or more
5 individuals living together as a single housekeeping unit, with cooking, living,
6 sanitary, and sleeping facilities;

7 (3) **"Fire department", an agency or organization that provides**
8 **fire suppression and related activities, including but not limited to, fire**
9 **prevention, rescue, emergency medical services, hazardous material**
10 **response, or special operation to a population within a fixed and legally**
11 **recorded geographical area. The term "fire department" shall include**
12 **any municipal fire department or any fire protection district as defined**
13 **in section 321.010, or voluntary fire protection association as defined**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 **in section 320.300, engaging in this type of activity;**

15 (4) "Fire loss", loss of or damage to property, or the loss of life or of
16 personal injury, by fire, lightning, or explosion;

17 [(4)] (5) "Investigator", the supervising investigators and investigators
18 appointed under sections 320.200 to 320.270;

19 [(5)] (6) "Owner", any person who owns, occupies, or has charge of any
20 property;

21 [(6)] (7) "Privately occupied dwelling", a building occupied exclusively for
22 residential purposes and having not more than two dwelling units;

23 [(7)] (8) "Property", property of all types, both real and personal, movable
24 and immovable;

25 [(8)] (9) "State fire marshal", the state fire marshal selected under the
26 provisions of sections 320.200 to 320.270.

320.271. All fire protection districts, fire departments, and all volunteer
2 fire protection associations as defined in section 320.300 shall **complete and** file
3 with the state fire marshal within sixty days after [August 13, 1988] **January**
4 **1, 2008**, and annually thereafter, [the name and address of the fire protection
5 district, fire department, or volunteer fire protection association] **a fire**
6 **department registration form provided by the state fire marshal. The**
7 **state fire marshal may issue a fire department identification number**
8 **to each registered fire protection district, fire department, or volunteer**
9 **fire protection association based upon such registration. The state fire**
10 **marshal may conduct periodic reviews of the information provided on**
11 **each fire department registration form.**

320.300. As used in sections 320.300 to 320.310, the phrase "volunteer fire
2 protection association" means any fire department, including a municipal fire
3 department, which is staffed by volunteers and organized for the purpose of
4 combating fires in a specified area. The provisions of sections 320.300 to 320.310
5 shall apply only to volunteer fire protection associations **that provide fire**
6 **suppression and related activities, including but not limited to, fire**
7 **prevention, rescue, emergency medical services, hazardous material**
8 **response, or special operation to a population within a fixed and legally**
9 **recorded geographical area**, either partially or wholly funded by membership
10 or subscriber fees and shall not apply to fire protection districts supported by
11 local tax revenues, or which have contracted with a political subdivision to
12 respond to fires within the area of an association's boundaries.

320.310. All volunteer fire protection associations [may] **shall** identify the
2 association's boundaries and file the same with the county administrative
3 body. **Such boundaries shall not encroach upon nor include any portion**
4 **of another fire department's, as that term is defined in section 320.200,**
5 **legally established boundaries.**

321.333. **After January 1, 2008, in any county with a charter form**
2 **of government and with more than one million inhabitants, the creation**
3 **of a fire protection district under chapter 321, RSMo, shall require the**
4 **authorization of all adjacent fire protection districts then existing. The**
5 **authorization shall be evidenced by a resolution adopted by the boards**
6 **of the adjacent fire protection districts.**

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Bill

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