# SENATE BILL REPORT
# SB 6078

As of January 14, 2020

**Title**: An act relating to clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions.

**Brief Description**: Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions.

**Sponsors**: Senator Mullet.

**Brief History:**
**Committee Activity**: Financial Institutions, Economic Development & Trade: 1/16/20.

**Brief Summary of Bill**

- Entitles fire protection districts, regional fire protection service authorities, and municipal fire departments to recover the actual costs associated with cleanup or removal of hazardous waste and other hazardous materials from insurers.

## SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, ECONOMIC DEVELOPMENT & TRADE

**Staff**: Clint McCarthy (786-7319)

**Background**: Fire Protection Districts. Fire protection districts (fire districts) are a type of special purpose district created to provide fire prevention, fire suppression, and emergency medical services within a district's boundaries. Generally, districts serve residents outside of cities or towns, except when cities and towns have been annexed into a district or when the district continues to provide service to a newly incorporated area. A fire district may be established through election or a petition signed by 60 percent of voters. Fire districts are governed by a board of three, five, or seven elected fire commissioners.

Municipal Fire Department. A municipal fire department is a city or town fire department responsible for firefighting actions, emergency medical services, and other special operations in a specified geographic area. The department must be composed of mostly career firefighters, not volunteers.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Regional Fire Protection Service Authority. Regional fire protection service authorities (RFAs) are municipal corporations established to provide regional fire protection and emergency services within their jurisdictional boundaries. An RFA is formed through merging two or more fire protection jurisdictions located within a reasonable proximity of each other, including fire districts, cities, towns, port districts, municipal airports, and Indian tribes.

Hazardous Materials Incident Liability. Any person transporting hazardous materials, other than the operating employees of a transportation company, is liable to the state, a municipal fire department, a fire district, or any political subdivision for extraordinary costs incurred in the course of protecting the public from actual or threatened harm resulting from a hazardous materials incident.

**Summary of Bill**: Fire districts, RFAs, and municipal fire departments (fire service jurisdictions) are entitled to recover, from any liable party, the actual costs associated with cleanup or removal of hazardous waste and other hazardous materials when responding to an incident only when coverage is found within a liable party's insurance policy.

The liable party may submit the actual costs from the fire service jurisdiction to any insurer that provides coverage for property damage the liable party is legally obligated or responsible for causing if coverage is found within a liable party's insurance policy. If there are multiple liable parties involved in an incident the fire service jurisdiction may only recover the proportional amount of liability legally determined for each party.

**Appropriation**: None.

**Fiscal Note**: Requested on January 6, 2020.

**Creates Committee/Commission/Task Force that includes Legislative members**: No.

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