

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 968**  
93RD GENERAL ASSEMBLY

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Reported from the Committee on Economic Development, Tourism and Local Government, March 9, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4463S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

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

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*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2 repealed and four new sections enacted in lieu thereof, to be known as sections  
3 320.200, 320.271, 320.300, and 320.310, 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 fire  
8 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 in  
14 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;

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

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, 2007**, 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 to**  
8 **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 which is staffed by volunteers  
3 and organized for the purpose of combating fires in a specified area. The  
4 provisions of sections 320.300 to 320.310 shall apply only to volunteer fire  
5 protection associations **that provide fire suppression and related activities,**  
6 **including but not limited to, fire prevention, rescue, emergency medical**  
7 **services, hazardous material response, or special operation to a**  
8 **population within a fixed and legally recorded geographical area,** either  
9 partially or wholly funded by membership or subscriber fees and shall not apply  
10 to fire protection districts supported by local tax revenues, or which have  
11 contracted with a political subdivision to respond to fires within the area of an  
12 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.**

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