

FIRST REGULAR SESSION

# SENATE BILL NO. 184

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

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

TERRY L. SPIELER, Secretary.

0734S.011

## 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2 repealed and five new sections enacted in lieu thereof, to be known as sections  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**  
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;**

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

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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