

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3281-06
Bill No.: HCS for SCS for SB 666
Subject: Fire Departments: Labor Relations, Employment
Type: Original
Date: April 12, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Public Safety - Fire Safety** assume no fiscal impact.

Due to timing, officials of fire protection districts, and fire departments did not respond.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This act modifies current law regarding firefighters and fire protection.

The definition of fire department is " an agency or organization that provides fire suppression and related activities, including but not limited to, fire prevention, rescue, emergency medical services, hazardous material response, or special operation to a population within a fixed and legally recorded geographical area. The term "fire department" shall include any municipal fire department or any fire protection district as defined in section 321.010, or voluntary fire protection association as defined in section 320.300, engaging in this type of activity;

The term volunteer firefighter is defined as used in sections 320.330 to 320.339, the phrase "volunteer firefighter" means any firefighter in the service of any fire department or fire protection district, including but not limited to any municipal, volunteer, rural, or subscription fire department or organization, or volunteer fire protection association, who receives no monetary compensation for his or her services.

The act bars public and private employers from firing an employee for joining any fire department, as a volunteer, or for missing work for responding to an emergency as a volunteer firefighter. Employers may, however, deduct hours missed by the employee from the employee's regular compensation. Employees must make a reasonable effort to notify their employers before they miss work and the employer may request the employee to provide the employer with a written statement from the supervisor of the volunteer fire department stating that the employee responded to an emergency and the time and date of such emergency.

Any employee who is fired in violation of this act has a cause of action for a civil suit against the employer in violation of the act. The employee may seek reinstatement to the employee's previous position, reinstatement of fringe benefits, back wages, and reinstatement of seniority rights. If the employee prevails in the action the employee shall be entitled to reasonable attorney's fees and costs of the action. The employee must bring an action within one year of the violation.

Under this act, all fire protection districts, volunteer fire protection associations, and fire department must complete and file a fire department registration form with the State Fire Marshal with 60 days after January 1, 2007 and annually thereafter. The state fire marshal may issue an identification number to each registered entity and conduct periodic reviews of the information provided on the registration forms.

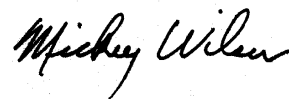
DESCRIPTION(continued)

This act requires volunteer fire protection associations to identify their boundaries and file them with the county. Any volunteer fire protection association is prohibited from encroaching upon or including any portion of another fire department's legally established boundaries.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety



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