
HOUSE BILL 2549

State of Washington

61st Legislature

2010 Regular Session

By Representatives Chandler and Simpson

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1 AN ACT Relating to firefighting services on areas outside a fire
2 protection jurisdiction; and adding a new chapter to Title 52 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
5 facilitate the provision of firefighting services to areas outside a
6 fire protection jurisdiction by: (1) Coordinating firefighting
7 services; (2) enabling cost recovery by fire protection districts; and
8 (3) clarifying that fire protection districts face no greater liability
9 for providing firefighting services on areas outside a fire protection
10 jurisdiction than within district boundaries.

11 NEW SECTION. **Sec. 2.** The definitions in this section apply
12 throughout this chapter unless the context clearly requires otherwise.

13 (1) "District" means a fire protection district organized under
14 this title.

15 (2) "Fire protection jurisdiction" means property located within a
16 fire district, a city, a town, a port district, the territorial
17 jurisdiction of an Indian tribe, or on federal lands.

1 (3) "Firefighting services" means the provision of fire prevention
2 services, fire suppression services, emergency medical services, and
3 the protection of life and property.

4 (4) "Fund" means the firefighting fund for unprotected lands.

5 (5) "Improved property" means property upon which a structure is
6 located, but does not include roads, bridges, land devoted primarily to
7 growing and harvesting timber, or land devoted primarily to the
8 production of livestock or agricultural commodities for commercial
9 purposes.

10 (6) "Unprotected land" means improved property located outside a
11 fire protection jurisdiction.

12 NEW SECTION. **Sec. 3.** (1) The county assessor shall collect an
13 annual unprotected lands firefighting assessment from owners of
14 unprotected land for the purpose of creating a firefighting fund for
15 unprotected lands. The county assessor shall establish the assessment
16 rate at an amount that approximates the expected costs for providing
17 fire protection services for unprotected lands within any one year, but
18 in no case may the assessment be less than the amount of the tax that
19 would be levied each year if the improved property were located in a
20 fire protection district. Expenditures from the fund may be used only
21 for the provision of firefighting services on unprotected lands and the
22 costs incurred in the administration of the fund.

23 (2) The assessment under subsection (1) of this section must be
24 collected at the time, in the same manner, by the same procedure, and
25 with the same penalties attached that general state and county taxes on
26 the land are collected. Upon collection of the assessments, the county
27 treasurer shall place fifty cents of the total unprotected lands
28 firefighting assessment paid on a parcel into the county current
29 expense fund to defray the costs of listing, billing, and collecting
30 these assessments.

31 NEW SECTION. **Sec. 4.** (1) Within two years of the effective date
32 of this section, each county shall enter into an agreement with the
33 fire protection districts located within the county to:

34 (a) Assign responsibility to the districts for the provision of
35 firefighting services on unprotected lands located within the county;
36 and

1 (b) Determine how the unprotected lands firefighting assessment
2 moneys will be allocated to the districts.

3 (2) The agreement entered into pursuant to subsection (1) of this
4 section must assign responsibility for the provision of firefighting
5 services for all unprotected lands within the county.

6 (3) In determining the allocation of moneys under subsection (1)(b)
7 of this section, the county and the fire protection districts may
8 consider the size, location, nature, and accessibility of the
9 unprotected lands and the size and nature of the improvement or
10 improvements on the unprotected lands.

11 (4) Failure to enter into the agreement required by subsection (1)
12 of this section may result in the forfeiture of the unprotected lands
13 firefighting assessments to the department of natural resources. The
14 department of natural resources shall use any forfeited unprotected
15 lands firefighting assessments in a manner consistent with funds
16 collected under RCW 76.04.610.

17 NEW SECTION. **Sec. 5.** (1) The board of fire commissioners of a
18 fire protection district may extend the application of the policies of
19 the district to the provision of firefighting services on unprotected
20 lands.

21 (2) If a district or its employees engage in firefighting services
22 outside the boundaries of the district, the district and its employees
23 are subject to no greater liability for acts or omissions in providing
24 the firefighting services outside the boundaries of the district than
25 if the firefighting services were provided within the boundaries of the
26 district.

27 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
28 a new chapter in Title 52 RCW.

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