

HOUSE BILL REPORT

SHB 1821

As Passed Legislature

Title: An act relating to the fraudulent installation of fire protection sprinkle systems.

Brief Description: Making the fraudulent installation of fire protection sprinkler systems a felony.

Sponsor(s): By House Committee on Judiciary (originally sponsored by Representatives R. Meyers, Ferguson, Schmidt, Zellinsky, Sheldon, Winsley, D. Sommers, Bowman, Paris, Miller, Riley, R. Johnson, Brough, Silver, Roland, Cooper, Horn, Chandler and Moyer).

Brief History:

Reported by House Committee on:
Judiciary, March 5, 1991, DPS;
Passed House, March 18, 1991, 98-0;
Passed Legislature, 98-0.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1821 be substituted therefor, and the substitute bill do pass.*
Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

Staff: Jeff Fishel (786-7191).

Background: Under Washington law, various frauds and swindles are designated as crimes that range in seriousness from misdemeanors to felonies.

Persons convicted of class C felonies are subject to imprisonment for a maximum of five years, a fine of not more than \$10,000, or both. Persons convicted of a gross misdemeanor are subject to imprisonment of up to a year and a fine of not more than \$5,000, or both.

Washington requires that a person or business must be licensed as a fire sprinkler contractor to install fire sprinkler systems. Only the state director of fire

protection may issue these licenses. To qualify, the contractor must employ a holder of a certificate of competency, also issued by the state director of fire protection, meet minimum insurance requirements, and apply to the state director.

Summary of Bill: A person is guilty of a class C felony if he or she willfully and maliciously constructs, installs, or maintains a fire sprinkler system and knows that the system is inoperable.

A person is also guilty of a class C felony if he or she willfully and knowingly impairs the operation of a sprinkler system.

Fiscal Note: Not requested.

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

Testimony For: Experience of fire inspectors in other states is that there is a potential for deliberate wrongdoing. Inspections have shown systems hooked up to the test valve so tests are impossible to make. An amendment to make licensing violations by fire sprinkler installers a gross misdemeanor was suggested.

Testimony Against: None.

Witnesses: Gordon Walgren, Washington Fire Chiefs Association (pro - with suggestions for an amendment); Paul O'Connor, Fire Sprinkler Advisory Board of Puget Sound (pro); and Otto Jensen, State Fire Chief (pro).