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**SUBSTITUTE SENATE BILL 6644**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on State & Local Government (originally sponsored by Senators Goings, Prentice, Fairley, Rasmussen, Haugen and Costa)

Read first time 01/31/00.

1 AN ACT Relating to technical corrections to fire protection laws;  
2 amending RCW 48.50.050 and 48.50.070; reenacting RCW 48.50.020 and  
3 48.50.040; and adding a new section to chapter 48.50 RCW.

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

5 **Sec. 1.** RCW 48.50.020 and 1995 c 369 s 36 and 1995 c 285 s 21 are  
6 each reenacted to read as follows:

7 As used in this chapter the following terms have the meanings  
8 indicated unless the context clearly requires otherwise.

9 (1) "Authorized agency" means a public agency or its official  
10 representative having legal authority to investigate criminal activity  
11 or the cause of a fire or to initiate criminal proceedings, including  
12 the following persons and agencies:

13 (a) The chief of the Washington state patrol and the director of  
14 fire protection;

15 (b) The prosecuting attorney of the county where the criminal  
16 activity occurred;

17 (c) State, county, and local law enforcement agencies;

18 (d) The state attorney general;

1 (e) The Federal Bureau of Investigation, or any other federal law  
2 enforcement agency;

3 (f) The United States attorney's office; and

4 (g) The office of the insurance commissioner.

5 (2) "Insurer" means any insurer, as defined in RCW 48.01.050 and  
6 any self-insurer.

7 (3) "Relevant information" means information having any tendency to  
8 make the existence of any fact that is of consequence to the  
9 investigation or determination of criminal activity or the cause of any  
10 fire more probable or less probable than it would be without the  
11 information.

12 **Sec. 2.** RCW 48.50.040 and 1995 c 369 s 37 and 1995 c 285 s 23 are  
13 each reenacted to read as follows:

14 (1) When an insurer has reason to believe that a fire loss reported  
15 to the insurer may be of other than accidental cause, the insurer shall  
16 notify the chief of the Washington state patrol, through the director  
17 of fire protection, in the manner prescribed under RCW 48.05.320  
18 concerning the circumstances of the fire loss, including any and all  
19 relevant material developed from the insurer's inquiry into the fire  
20 loss.

21 (2) Notification of the chief of the Washington state patrol,  
22 through the director of fire protection, under subsection (1) of this  
23 section does not relieve the insurer of the duty to respond to a  
24 request for information from any other authorized agency and does not  
25 bar an insurer from other reporting under RCW 48.50.030(2).

26 **Sec. 3.** RCW 48.50.050 and 1979 ex.s. c 80 s 5 are each amended to  
27 read as follows:

28 An authorized agency receiving information under RCW 48.50.030  
29 (~~(or)~~), 48.50.040, or section 4 of this act may release or provide such  
30 information to any other authorized agencies.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.50 RCW  
32 to read as follows:

33 An insurer providing information to an authorized agency or  
34 agencies under RCW 48.50.030 or 48.50.040 may request that an  
35 authorized agency furnish to the insurer any or all relevant  
36 information possessed by the agency relating to the particular fire

1 loss. At their discretion, and unless prohibited by any other  
2 provision of law, the agency or agencies may release or provide  
3 information to the requesting insurer.

4 **Sec. 5.** RCW 48.50.070 and 1980 c 102 s 9 are each amended to read  
5 as follows:

6 Any licensed insurance agent, any licensed insurance broker, or any  
7 insurer or person acting in the insurer's behalf or any authorized  
8 agency which releases information, whether oral or written, under RCW  
9 48.50.030, 48.50.040, 48.50.050, or ((~~48.50.060 shall be~~)) section 4 of  
10 this act is immune from liability in any civil or criminal action,  
11 suit, or prosecution arising from the release of the information,  
12 unless actual malice on the part of the agent, broker, insurer, or  
13 authorized agency against the insured is shown.

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