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## Local Government Committee

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### SSB 5010

**Brief Description:** Concerning protected lands not being assessed local fire district levies.

**Sponsors:** Senate Committee on Local Government (originally sponsored by Senators Rolfes and Van De Wege).

<p><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Establishes a process for local fire districts to annex areas that receive protection, but do not pay a local fire district levy, by January 1, 2021.</li></ul>
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**Hearing Date:** 3/15/19

**Staff:** Robbi Kesler (786-7153).

**Background:**

Firefighting Services on Unprotected Lands.

Under current law, fire protection agencies are not required to provide firefighting services to unprotected land, which is defined as, "improved property located outside the jurisdiction of a fire protection service agency". Property owners of unprotected lands are encouraged to form or annex into a fire protection jurisdiction or enter into a contract for firefighting services. If this does not occur and firefighting services are provided to unprotected land, the property owners must reimburse the agency initiating firefighting services on unprotected land for certain costs incurred.

Fire Districts.

Fire districts are created to provide fire and emergency services to protect life and property in locations outside of cities and towns. A fire district may be established through a process involving a petition by the residents of a proposed district, a public hearing, and three-fifths voter approval. Fire districts are governed by a board of three, five, or seven elected fire commissioners.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Fire District Annexation.

A district may annex a city or town located within reasonable proximity to a district if that city or town has a population of 300,000 or fewer. Reasonable proximity is defined as, "geographical areas near enough to each other so that governance, management, and services can be delivered effectively". Annexation requires a majority vote of approval from both city and district voters.

Annexation of territory located within a reasonable proximity of a fire protection district may be accomplished by a majority vote of approval from voters of the territory, by a petition signed by 60 percent of the qualified electorate, or by a petition signed by owners of at least 60 percent of the territory.

### Identification of Parcels that do not Currently Pay a Fire Protection Assessment.

In September 2017, the Joint Legislative Audit and Review Committee (JLARC) issued a report that analyzed various aspects of fire protection assessments administered by the Department of Natural Resources (DNR). The report reviewed how the DNR and counties collect the state protection assessments, as well as how the DNR and local fire protection districts define their fire protection areas. Among other findings, JLARC:

- estimated that more than 20,000 parcels exist that do not pay either the state fire protection assessment or a local fire district levy, but likely receive fire protection services from the DNR or a local fire district; and
- could not specifically determine which parcels would be subject to the state fire assessment, a local fire district levy, or both.

### **Summary of Bill:**

A process is established for local fire districts to annex areas that receive protection, but do not pay a local fire district levy by January 1, 2021. Prior to annexing a parcel, the fire district must coordinate with county assessors, notify the owner of record, and hold a public hearing. Following the hearing, fire districts must pass a resolution for annexation to be approved by the county legislative authority. Owners of record may appeal resolutions for annexation to the county legislative authority. The bill includes legislative findings and defines terms.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.