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## OLR Bill Analysis

### sHB 6838

***AN ACT ESTABLISHING A DIVISION OF FIRE SERVICES ADMINISTRATION WITHIN THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, REVISING THE POWERS AND DUTIES OF THE COMMISSION ON FIRE PREVENTION AND CONTROL AND REQUIRING A STUDY OF THE FIRE SERVICE IN THE STATE.***

#### **SUMMARY**

This bill eliminates the Office of State Fire Administration and creates a Division of Fire Services Administration within the Department of Emergency Services and Public Protection (DESPP) as a successor agency. It requires the DESPP commissioner to appoint a deputy commissioner to lead the division, transfers the State Fire Administrator's current duties to the deputy commissioner, and expands these duties.

The bill also appropriates \$250,000 for DESPP to contract for a study of the issues facing the state's fire service and develop a strategic master plan to address them.

Additionally, the bill makes changes to the Commission on Fire Prevention and Control's powers and duties, such as requiring it to distribute funding for fire school operations.

The bill also makes conforming and technical changes.

EFFECTIVE DATE: October 1, 2023, except the DESPP fire service study and related appropriation are effective July 1, 2023.

#### **§§ 1 & 3-9 — DIVISION OF FIRE SERVICES ADMINISTRATION**

Under the bill, the DESPP commissioner must serve as the Division of Fire Services Administration's administrative head, but delegate his jurisdiction of the division to a deputy commissioner. The deputy

commissioner must have professional training and knowledge with at least five years of managerial or strategic planning experience relating to the fire services.

The bill requires that the functions, powers, duties, and personnel of the Office of State Fire Administrator be transferred to the division. Additionally, any order or regulation of the office that is in force on the effective date of the bill must continue in force and effect as an order or regulation of the division until it is amended, repealed, or superseded. The bill makes conforming changes to carry out this transfer, including requiring the division, rather than the Office of State Fire Administration, to administer the state's responsibilities under federal laws relevant to fire services and to develop a master plan for fire prevention and control.

The bill also transfers the State Fire Administrator's current duties to the deputy commissioner. Whereas current law requires the State Fire Administrator to coordinate the training and education of fire service personnel at state institutions, facilities, and properties, the bill instead requires the deputy commissioner to do the following:

1. advise and assist the Commission on Fire Prevention and Control on legislative proposals;
2. encourage the expansion and improvement of existing local firefighter training facilities in cooperation with the commission;
3. administer the state fire school and certification examinations, testing procedures, and reciprocity recognition for credentials in the fire service disciplines; and
4. make recommendations to the commission on the operational funding of the state fire school and regional fire schools.

The bill also requires the deputy commissioner to prepare, recommend, and give reports on revisions, consolidations, or compilations of statutes relating to firefighter training and fire prevention and control. (The bill does not specify to whom these

recommendations and reports must be sent.)

### **§§ 2 & 3 — COMMISSION ON FIRE PREVENTION AND CONTROL**

Under current law, the Commission on Fire Prevention and Control may set standards for a fire service training and education program on a voluntary basis. The bill eliminates this discretion and requires it to do so.

The bill further requires the commission do the following:

1. distribute any state, federal, or private funds or contributions for the daily operation of the state fire school and regional fire schools;
2. coordinate activities with the Division of State Fire Services Administration's deputy commissioner;
3. annually submit proposals for legislation to promote firefighter training to the DESPP commissioner and give testimony to the General Assembly; and
4. add recommendations on the funding needed for operating, maintaining, and making capital improvements to the state fire school and regional fire schools as part of the existing annual reporting it must submit to the governor, legislature, and DESPP commissioner.

The bill requires the commission to submit this annual report to the Public Safety and Security Committee, rather than the Joint Committee on Legislative Management as current law requires.

The bill eliminates the commission's authority to appoint clerical and other assistants it deems necessary to carry out functions it devised for the Office of State Fire Administration.

### **§§ 10 & 11 — FIRE SERVICE ISSUES STUDY**

The bill requires the DESPP commissioner to choose, by October 1, 2023, a contractor to study issues facing the state's fire service, develop a strategic master plan to address them, and prepare the state for the

future. By January 1, 2025, the commissioner must report the study's results to the governor and the Public Safety and Security Committee.

The bill appropriates \$250,000 to DESPP from the General Fund for FY 24 to fund the study.

## **BACKGROUND**

### ***Related Bill***

sHB 6841, § 3, favorably reported by the Public Safety and Security Committee, among other things, expands the State Fire Administrator's duties to include developing facilities across the state where people can train for and take the firefighter physical ability test.

## **COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 25    Nay 0    (03/16/2023)