

SENATE FILE NO. SF0095

Fire protection-mutual aid.

Sponsored by: Senator(s) Burns and Representative(s)
Lubnau

A BILL

for

1 AN ACT relating to fire protection; providing for mutual
2 aid agreements between noncontiguous cities and fire
3 districts; providing immunity for fire protection districts
4 acting outside district boundaries; providing for the use
5 of tax revenues for provision of services pursuant to a
6 mutual aid agreement; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 15-1-121(a)(intro), 35-9-201 and
11 35-9-211(a)(ii)(B) are amended to read:

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13 **15-1-121. Fire protection agreements authorized;**
14 **limitation; liability.**

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1 (a) Every city, town and county may enter into
2 negotiations with each other or with the board of directors
3 of a ~~contiguous~~ fire district for the purpose of:

4
5 **35-9-201. Applicability; powers of districts**
6 **generally.**

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8 This act shall apply to a fire protection district created
9 under the provisions of this act or under the provisions of
10 article 1, chapter 45, Wyoming Compiled Statutes, 1945, as
11 amended. Such fire protection district is hereby
12 authorized to provide protection from fire and other public
13 safety emergencies for all persons and property within its
14 boundaries, and to contract, including mutual aid
15 agreements, to give or receive such protection to or from
16 one (1) or more other municipal corporations, other fire
17 protection districts, private organizations or individuals.

18 No fire protection district is liable for damages to
19 persons or property resulting from the operation or
20 presence of fire fighting equipment outside the district
21 boundaries pursuant to an agreement or contract under this
22 section.

1 **35-9-211. Formation of county commission fire**
2 **protection districts; procedures; conditions.**

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4 (a) As an alternative to the procedures provided by
5 W.S. 35-9-210, a county commission fire protection district
6 comprised of lands within unincorporated areas of the
7 county which are not within existing fire protection
8 districts and which are currently receiving fire protection
9 or public safety services from an existing fire department
10 funded by the county may be created under the following
11 procedure:

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13 (ii) If the establishment of the district is
14 defeated at the election, the board may refuse to provide
15 fire and public safety protection to the area within the
16 proposed district commencing with the succeeding fiscal
17 year. If a majority of the voters in the proposed district
18 voting at the election vote for the establishment of the
19 district, the board of county commissioners shall enter
20 that fact upon its records and the district is established.
21 Following establishment of the district:

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23 (B) The board of county commissioners shall
24 annually levy a tax on the taxable property in the district

1 as provided by W.S. 35-9-203 and shall expend the proceeds
2 of the tax solely for the support of the fire department or
3 agency providing fire protection or public safety services
4 for the property within the district or outside the
5 district pursuant to a mutual aid agreement as provided in
6 W.S. 35-9-201.

7

8 **Section 2.** This act is effective July 1, 2007.

9

10 (END)