

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4299

(BY DELEGATES J. NELSON, PHILLIPS, MOFFATT,
R. SMITH, MCCUSKEY, WAGNER, BATES, ELDRIDGE,
STANSBURY, ARVON AND MILEY)

[Introduced January 27, 2016;
referred to the Committee on Political Subdivisions
then Finance.]

1 A BILL to amend and reenact §7-1-3d of the Code of West Virginia, 1931, as amended, relating
2 to increasing the amount volunteer fire companies or paid fire departments may charge
3 for reimbursement for personnel and equipment used in performing fire fighting services,
4 victim rescue or cleanup of debris.

Be it enacted by the Legislature of West Virginia:

1 That §7-1-3d of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3d. Levy for, establishment and operation of fire prevention units; financial aid.

1 The county commission in any county may levy for and may erect, maintain and operate
2 fire stations and fire prevention units and equipment therefor in the county: *Provided*, That if a
3 county commission establishes a separate fire protection unit in any city in West Virginia that is
4 now operating under the provisions of the state civil service act for paid fire departments, then the
5 new unit shall be operated in accordance with the provisions of the civil service act. Any county
6 commission may render financial aid to any one or more public fire protection facilities in operation
7 in the county for the general benefit of the public in the prevention of fires. Any county commission
8 may also authorize volunteer fire companies or paid fire departments to charge reasonable
9 reimbursement fees for personnel and equipment used in performing firefighting services, victim
10 rescue or cleanup of debris or hazardous materials by department personnel. The rate for any
11 such fees to be charged to property owners or other persons responsible or liable for payment for
12 such services must be approved by the county commission and must be reasonable: *Provided*,
13 *however*, That no fee for any single incident or accident ~~shall~~ may exceed ~~\$500~~ \$1,000 except an
14 incident or accident involving hazardous materials. The county commission shall require that any
15 fees charged pursuant to the authority conferred by this section must be in writing and be itemized
16 by specific services rendered and the rate for each service.

NOTE: The purpose of this bill is to increase the amount volunteer fire companies or paid fire departments may charge for reimbursement for personnel and equipment used in performing fire fighting services, victim rescue or cleanup of debris from \$500 to \$1,000.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.