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FEB 19 2001

Place On Calendar

HOUSE FILE 301
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 79)

Passed House, ^(P. 755) Date 3-1-01 Passed Senate, ^(P. 1059) Date 4-10-01
Vote: Ayes 95 Nays 2 Vote: Ayes 50 Nays 0
Approved April 19, 2001

A BILL FOR

1 An Act establishing a rural fire protection program and limiting
2 the liability of rural water districts and associations in
3 connection with the provision of water for fire protection.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 301

1 Section 1. NEW SECTION. 357A.22A RURAL FIRE PROTECTION
2 PROGRAM -- LIABILITY.

3 A rural water district or rural water association
4 incorporated under this chapter or chapter 504A shall
5 establish a rural fire protection program which shall include,
6 but is not limited to, providing access to designated soft-
7 hose fill stations, providing annually or more often if
8 necessary updated maps of soft-hose fill stations to all fire
9 departments within the rural water service area, and
10 sponsoring informational meetings for all fire departments and
11 interested parties within the rural water service area for the
12 purpose of reviewing locations of facilities, operational
13 procedures, communication procedures and facilities, and
14 procedures designed to coordinate efforts to enhance rural
15 fire protection.

16 A rural water district or rural water association
17 incorporated under this chapter or chapter 504A which provides
18 water service to cities, benefited fire districts, or
19 townships shall not be liable for a claim against the district
20 or association for failure to provide or maintain fire
21 hydrants or an adequate supply of water or water pressure for
22 fighting fires based upon or arising out of an act or omission
23 in connection with the use of water for fire protection
24 purposes. Not later than July 1, 2006, the legislative
25 council shall provide for a review of the liability exemption
26 or limitation provided for rural water districts or rural
27 water associations under this paragraph and assess its effect
28 on the provision of fire protection in areas served by the
29 rural water districts or rural water associations.

30 EXPLANATION

31 This bill provides that a rural water district or rural
32 water association shall establish a rural fire protection
33 program which shall include, but is not limited to, providing
34 access to designated soft-hose fill stations, providing
35 annually updated maps of soft-hose fill stations to all fire

1 departments in the service area, and sponsoring informational
2 meetings for all fire departments and interested parties. The
3 purposes of the meetings are to review locations of
4 facilities, operational procedures, communications procedures
5 and facilities, and procedures designed to coordinate efforts
6 to enhance rural fire protection.

7 The bill also provides that a rural water district or rural
8 water association which is incorporated and organized pursuant
9 to Code chapter 357A or 504A is immune from liability for any
10 claim based on or arising out of an act or omission in
11 connection with the provision of water for fire protection by
12 a city, township, or benefited fire district.

13 Not later than July 1, 2006, the legislative council shall
14 provide for a review of the liability exemption or limitation
15 provided for rural water districts or rural water associations
16 and assess its effect on the provision of fire protection.

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HOUSE FILE 301

H-1219

1 Amend House File 301 as follows:

2 1. Page 1, line 21, by inserting after the word
3 "hydrants" the following: ", facilities".

4 2. Page 1, by striking lines 22 through 24 and
5 inserting the following: "fire protection purposes if
6 the purpose of the hydrants, facilities, or water used
7 is not for fire protection. Not later than July 1,
8 2006, the legislative".

By KLEMME of Plymouth

H-1219 FILED MARCH 7, 2001

Adopted 3/19/01 (P. 754)

3-19/01 Amended
5-3/28/01 Do Pass

HOUSE FILE 301
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 79)

(As Amended and Passed by the House March 19, 2001)

Passed House, Date ^(p. 755) 3-1-01 Passed Senate, Date ^(p. 1059) 4-10-01
Vote: Ayes 95 Nays 2 Vote: Ayes 50 Nays 0
Approved April 19, 2001

A BILL FOR

1 An Act establishing a rural fire protection program and limiting
2 the liability of rural water districts and associations in
3 connection with the provision of water for fire protection.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. NEW SECTION. 357A.22A RURAL FIRE PROTECTION
2 PROGRAM -- LIABILITY.

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5 establish a rural fire protection program which shall include,
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9 departments within the rural water service area, and
10 sponsoring informational meetings for all fire departments and
11 interested parties within the rural water service area for the
12 purpose of reviewing locations of facilities, operational
13 procedures, communication procedures and facilities, and
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15 fire protection.

16 A rural water district or rural water association
17 incorporated under this chapter or chapter 504A which provides
18 water service to cities, benefited fire districts, or
19 townships shall not be liable for a claim against the district
20 or association for failure to provide or maintain fire
21 hydrants, facilities or an adequate supply of water or water
22 pressure for fire protection purposes if the purpose of the
23 hydrants, facilities, or water used is not for fire
24 protection. Not later than July 1, 2006, the legislative
25 council shall provide for a review of the liability exemption
26 or limitation provided for rural water districts or rural
27 water associations under this paragraph and assess its effect
28 on the provision of fire protection in areas served by the
29 rural water districts or rural water associations.

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HOUSE FILE 301

AN ACT

ESTABLISHING A RURAL FIRE PROTECTION PROGRAM AND LIMITING THE LIABILITY OF RURAL WATER DISTRICTS AND ASSOCIATIONS IN CONNECTION WITH THE PROVISION OF WATER FOR FIRE PROTECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 357A.22A RURAL FIRE PROTECTION PROGRAM -- LIABILITY.

A rural water district or rural water association incorporated under this chapter or chapter 504A shall establish a rural fire protection program which shall include, but is not limited to, providing access to designated soft-hose fill stations, providing annually or more often if necessary updated maps of soft-hose fill stations to all fire departments within the rural water service area, and sponsoring informational meetings for all fire departments and interested parties within the rural water service area for the purpose of reviewing locations of facilities, operational procedures, communication procedures and facilities, and procedures designed to coordinate efforts to enhance rural fire protection.

A rural water district or rural water association incorporated under this chapter or chapter 504A which provides water service to cities, benefited fire districts, or townships shall not be liable for a claim against the district or association for failure to provide or maintain fire hydrants, facilities or an adequate supply of water or water pressure for fire protection purposes if the purpose of the hydrants, facilities, or water used is not for fire protection. Not later than July 1, 2006, the legislative council shall provide for a review of the liability exemption or limitation provided for rural water districts or rural

water associations under this paragraph and assess its effect on the provision of fire protection in areas served by the rural water districts or rural water associations.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 301, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved April 19, 2001

THOMAS J. VILSACK
Governor