

REFERENCE TITLE: fire district advisory board

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2418

Introduced by
Representative Livingston

AN ACT

AMENDING TITLE 37, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 7; RELATING TO THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 37, chapter 9, Arizona Revised Statutes, is
3 amended by adding article 7, to read:

4 ARTICLE 7. FIRE DISTRICT ADVISORY BOARD

5 37-1441. Definitions

6 IN THIS ARTICLE, UNLESS CONTEXT OTHERWISE REQUIRES:

7 1. "DIRECTOR" MEANS THE SENATE-CONFIRMED HEAD OF THE ARIZONA
8 DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT.

9 2. "FIRE DISTRICT":

10 (a) MEANS A FIRE DISTRICT ESTABLISHED PURSUANT TO TITLE 48, CHAPTER
11 5, ARTICLE 1 OR 3 AND A FIRE DISTRICT JOINT POWERS AUTHORITY FORMED
12 PURSUANT TO TITLE 48, CHAPTER 5.

13 (b) INCLUDES THE GOVERNING BODY OF THE FIRE DISTRICT OR THE FIRE
14 DISTRICT JOINT POWERS AUTHORITY AND ALL ITS AUTHORIZED PERSONNEL.

15 3. "GOVERNING BODY" MEANS THE ELECTED BODY, BOARD, OFFICER OR
16 OFFICERS OR OTHER AUTHORITY HAVING CHARGE OF THE FINANCES OF THE FIRE
17 DISTRICT.

18 37-1442. Fire district advisory board; members;
19 qualifications; terms; filling vacancy;
20 chairperson; vice chairperson

21 A. THE FIRE DISTRICT ADVISORY BOARD IS ESTABLISHED FOR THE PURPOSE
22 OF ENSURING THE EFFECTIVE AND EFFICIENT DELIVERY OF FIRE SUPPRESSION,
23 RESCUE, EMERGENCY MEDICAL AND AFFILIATED EMERGENCY SERVICES THROUGHOUT
24 THIS STATE.

25 B. THE FIRE DISTRICT ADVISORY BOARD SHALL BE COMPOSED OF THE
26 FOLLOWING MEMBERS:

27 1. TWO MEMBERS WHO ARE FIRE CHIEFS OF FIRE DISTRICTS. THE GOVERNOR
28 SHALL APPOINT THESE MEMBERS FROM A LIST OF FIVE MEMBERS THAT IS SUBMITTED
29 TO THE GOVERNOR BY AN ASSOCIATION OF FIRE DISTRICTS IN THIS STATE.

30 2. TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR AND WHO ARE
31 SELECTED FROM A LIST OF FIVE PERSONS THAT IS SUBMITTED TO THE GOVERNOR BY
32 AN ASSOCIATION OF PROFESSIONAL FIREFIGHTERS IN THIS STATE.

33 3. ONE MEMBER WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF
34 REPRESENTATIVES AND WHO HAS KNOWLEDGE AND EXPERIENCE IN THE DELIVERY OF
35 FIRE AND EMERGENCY MEDICAL SERVICES IN UNINCORPORATED OR RURAL
36 COMMUNITIES, OR BOTH.

37 4. ONE MEMBER WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE AND
38 WHO HAS KNOWLEDGE AND EXPERIENCE IN THE DELIVERY OF FIRE AND EMERGENCY
39 MEDICAL SERVICES IN UNINCORPORATED OR RURAL COMMUNITIES, OR BOTH.

40 5. THE DIRECTOR OF THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE
41 MANAGEMENT.

42 6. ONE NONVOTING ADVISORY MEMBER WHO IS APPOINTED BY THE GOVERNOR
43 AND WHO HAS KNOWLEDGE AND EXPERTISE IN THE AREA OF GOVERNMENT FINANCE AND
44 ECONOMICS.

1 C. THE TERMS OF FIRE DISTRICT ADVISORY BOARD MEMBERS SHALL COINCIDE
2 WITH THE TERMS OF OFFICE OF THE APPOINTING AUTHORITY OF THE MEMBER.
3 UNLESS OTHERWISE SPECIFIED BY LAW, EVERY FIRE DISTRICT ADVISORY BOARD
4 MEMBER SERVES AT THE PLEASURE OF THE AUTHORITY THAT APPOINTED THAT MEMBER.
5 ON EXPIRATION OF A MEMBER'S TERM, EACH FIRE DISTRICT ADVISORY BOARD MEMBER
6 SHALL CONTINUE TO DISCHARGE THE DUTIES OF THE OFFICE UNTIL A SUCCESSOR HAS
7 QUALIFIED. ANY VACANCY THAT OCCURS IN THE MEMBERSHIP OF THE FIRE DISTRICT
8 ADVISORY BOARD SHALL BE FILLED ONLY FOR THE UNEXPIRED TERM OF THE MEMBER.

9 D. THE GOVERNOR MAY REMOVE MEMBERS OF THE FIRE DISTRICT ADVISORY
10 BOARD FOR INEFFICIENCY, NEGLECT OF DUTY, MALFEASANCE OR NONFEASANCE IN
11 OFFICE.

12 E. THE FIRE DISTRICT ADVISORY BOARD SHALL ANNUALLY ELECT A
13 CHAIRPERSON AND VICE CHAIRPERSON FROM AMONG ITS MEMBERS.

14 37-1443. Fire district advisory board; powers and duties

15 A. THE FIRE DISTRICT ADVISORY BOARD SHALL:

16 1. HOLD PUBLIC MEETINGS AT LEAST ONCE EVERY ONE HUNDRED EIGHTY DAYS
17 IN EACH FISCAL YEAR.

18 2. RECOMMEND TO THE GOVERNOR AND LEGISLATURE GENERAL STATE
19 APPROPRIATIONS AND PROGRAMS FOR THE IMPROVEMENT OF FIRE AND EMERGENCY
20 MEDICAL SERVICES IN UNINCORPORATED AND RURAL AREAS OF THE STATE.

21 3. RECOMMEND TO THE GOVERNOR AND LEGISLATURE STATE APPROPRIATIONS
22 TO FIRE DISTRICTS FOR THE MITIGATION OF RISK TO COMMUNITIES LOCATED IN
23 AREAS DESIGNATED AS WILDLAND-URBAN INTERFACE.

24 4. IN CONJUNCTION WITH THE DIRECTOR, IDENTIFY COUNTIES AND REGIONS
25 WHERE CRITICAL FIRE SHEDS POSE A HIGH RISK TO ADJACENT COMMUNITIES AND
26 MAKE RECOMMENDATIONS TO THE GOVERNOR AND LEGISLATURE FOR FIRE PROTECTION
27 SERVICES AND FUEL MITIGATION PROJECTS NECESSARY TO REDUCE COMMUNITY RISK.

28 5. APPLY FOR AND ADMINISTER STATEWIDE AND REGIONAL GRANTS TO
29 IMPROVE THE DELIVERY OF FIRE DISTRICT SERVICES.

30 6. ANNUALLY EVALUATE AND DETERMINE COMPLIANCE WITH THE FIRE
31 DISTRICT ELECTED OFFICIAL AND FIRE CHIEF TRAINING REQUIREMENTS PRESCRIBED
32 BY SECTION 48-803 AND PROVIDE NOTICE TO THE ATTORNEY GENERAL FOR
33 NONCOMPLIANCE AND ENFORCEMENT.

34 7. ANNUALLY EVALUATE FIRE DISTRICT BUDGET FILINGS SUBMITTED TO THE
35 AUDITOR GENERAL. THE FIRE DISTRICT ADVISORY BOARD MAY REQUIRE A GOVERNING
36 BODY TO UNDERTAKE A STUDY OF MERGER OR CONSOLIDATION AS PRESCRIBED BY
37 SECTION 48-805.02, SUBSECTION D IF REQUIRED BY LAW AND SUBMIT THE STUDY TO
38 THE FIRE DISTRICT ADVISORY BOARD.

39 8. IDENTIFY DEFICIENCIES IN THE 911 SYSTEM AND INTEROPERABLE RADIO
40 COMMUNICATIONS SYSTEMS USED BY FIRE DISTRICTS AND RECOMMEND CORRECTIVE
41 ACTIONS TO THE GOVERNOR AND LEGISLATURE.

- 1 B. THE FIRE DISTRICT ADVISORY BOARD MAY:
- 2 1. REQUIRE A FIRE DISTRICT TO COMPLETE A WILDFIRE RISK ASSESSMENT
- 3 AND SUBMIT THE COMPLETED ASSESSMENT TO THE FIRE DISTRICT ADVISORY BOARD
- 4 AND THE DIRECTOR.
- 5 2. ANNUALLY EVALUATE AND PROVIDE NOTICE TO THE AFFECTED BOARD OF
- 6 SUPERVISORS FOR A GOVERNING BODY TO BE EXPANDED FROM THREE SEATS TO FIVE
- 7 SEATS BASED ON THE POPULATION THRESHOLD PRESCRIBED BY SECTION 48-803,
- 8 SUBSECTION A.
- 9 3. ANNUALLY EVALUATE AND PROVIDE NOTICE TO THE AFFECTED BOARD OF
- 10 SUPERVISORS FOR A GOVERNING BODY TO BE EXPANDED FROM THREE SEATS TO FIVE
- 11 SEATS BASED ON EXCEEDING THE \$500,000 TAX LEVY THRESHOLD PRESCRIBED BY
- 12 SECTION 48-803, SUBSECTION H.
- 13 4. ANNUALLY REVIEW THE DIRECT TAX LEVIES AND FIRE DISTRICT
- 14 ASSISTANCE TAX AMOUNTS LEVIED AND DISTRIBUTED TO FIRE DISTRICTS IN EACH
- 15 COUNTY AND MAKE RECOMMENDATIONS TO THE GOVERNOR AND LEGISLATURE TO REMEDY
- 16 FIRE DISTRICT SERVICE DELIVERY DEFICIENCIES AS NECESSARY.
- 17 5. REQUIRE A FIRE DISTRICT WITH A TAX RATE WITHIN TEN PERCENT OF
- 18 THE MAXIMUM ALLOWABLE RATE TO UNDERTAKE A STUDY OF MERGER OR CONSOLIDATION
- 19 PURSUANT TO SECTIONS 48-820 AND 48-822 AND SUBMIT THE STUDY TO THE FIRE
- 20 DISTRICT ADVISORY BOARD.
- 21 6. ESTABLISH A PROCUREMENT AUTHORITY OR COOPERATIVE GROUP
- 22 PURCHASING PROGRAM OR PARTICIPATE THROUGH AN INTERGOVERNMENTAL AGREEMENT
- 23 WITH AN ESTABLISHED PROCUREMENT AUTHORITY OR GROUP PURCHASING PROGRAM FOR
- 24 THE PURCHASE OF EQUIPMENT AND SUPPLIES NECESSARY FOR THE DELIVERY OF FIRE
- 25 DISTRICT SERVICES.
- 26 7. ACCEPT GIFTS, GRANTS AND CONTRIBUTIONS FROM PRIVATE INDIVIDUALS
- 27 OR FOUNDATIONS AND FROM THE FEDERAL GOVERNMENT.
- 28 8. RECOMMEND NATIONAL STANDARDS AND BEST PRACTICES FOR THE
- 29 OPERATION OF FIRE DISTRICTS TO INCLUDE EMERGENCY RESPONSE TIMES FOR FIRE
- 30 AND EMERGENCY MEDICAL SERVICES BASED ON POPULATION DENSITY, TRAVEL
- 31 DISTANCES, COMMUNITY-SPECIFIC FIRE THREATS AND OTHER RELEVANT FACTORS AS
- 32 DETERMINED BY THE FIRE DISTRICT ADVISORY BOARD.
- 33 C. THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT SHALL
- 34 PROVIDE ADMINISTRATIVE SUPPORT FOR THE FIRE DISTRICT ADVISORY BOARD.