

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2444

As Amended by House Committee on
Federal and State Affairs

Brief*

HB 2444, as amended, would transfer the Office of the State Fire Marshal to the Insurance Department and establish a Division of the State Fire Marshal within the Insurance Department. Under HB 2444, the Commissioner of Insurance would appoint the State Fire Marshal, subject to confirmation by the Senate.

Background

Currently, the Governor appoints the State Fire Marshal who supervises the Office of the State Fire Marshal which is an independent state agency. The House Committee reviewed a 2004 Legislative Division of Post Audit Report concerning the State Fire Marshal's Office.

Conferees appearing in support of the bill included Representative Bob Bethel, the President of the Kansas State Association of Fire Chiefs, and representatives of the Kansas Professional Fire Chiefs Association, the Disability Rights Center of Kansas, Interhab, and the Kansas Association of Homes and Services for the Aging. Appearing as neutral was the legislative counsel for the Kansas Association of P&C who noted that the Insurance Department would be the appropriate location for the State Fire Marshal if the Legislature determine the shift were to be made. Opponents included the current State Fire Marshal and the Northeast Trustee for the Kansas State Firefighters Association.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

According to the fiscal note, the Insurance Department indicates there would be no fiscal effect on the agency's budget. The agency currently collects insurance premium revenue on behalf of the State Fire Marshal that supports the operations of that office, and it reports that supervision of the new division would not require any additional resources. HB 2444 would make no changes to the agency's expenditures and does not change the distribution of the fire insurance premiums. The Office of the State Fire Marshal states that the bill does not appear to have any effect to the agency's responsibilities or budget, as it would transfer the agency and its staff to the Insurance Department.