

February 8, 2021

The Honorable Larry Alley, Chairperson  
Senate Committee on Federal and State Affairs  
Statehouse, Room 136-E  
Topeka, Kansas 66612

Dear Senator Alley:

**SUBJECT:** Fiscal Note for SB 79 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 79 is respectfully submitted to your committee.

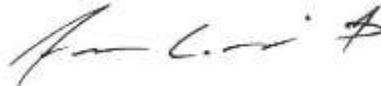
SB 79 would grant the State Fire Marshal and investigators of the State Fire Marshal the authority to make arrests and conduct searches and seizures while investigating violations of laws enforced or administered by the State Fire Marshal. The bill would authorize such investigators to enforce all criminal laws of the state. Whenever the death of a person occurs as a result of fire, or when the body of a deceased person is discovered at the scene of a fire, the bill would require an investigation regarding the circumstances of the death to be initiated by the chief of the organized fire department or the chief law enforcement officer if no local fire department exists. The bill would require the State Fire Marshal to assist the official who initiates any such investigation. The bill would also require the sale and purchase of any item of clothing or equipment intended to protect firefighters from death or injury to meet or exceed the minimum standards established for such clothes or equipment in the standards of the National Fire Protection Association designated by the State Fire Marshal by adoption of rules and regulations.

The Office of the State Fire Marshal indicates that enactment of the bill would have no fiscal effect because the additional number of fatality fire cases its investigators would be involved in could be absorbed within existing resources. Any fiscal effect associated with SB 79 is not reflected in *The FY 2022 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of the bill could result in situations where counties must replace firefighting equipment prior to the end of its useful life if new standards are adopted that do not allow the existing equipment. However, a precise fiscal

effect cannot be estimated. The League of Kansas Municipalities indicates that enactment of the bill would have a negligible fiscal effect on cities that could be absorbed within existing resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Jill McCarthy, Office of the Fire Marshal  
Wendi Stark, League of Municipalities  
Jay Hall, Association of Counties