



SPONSOR: Rep. D. Short & Rep. Mitchell & Rep. Carson &
Rep. K. Williams & Rep. Dorsey Walker
Reps. Cooke, Osinski, Ramone; Sen. Ennis

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 193

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE
DELAWARE STATE FIRE PREVENTION COMMISSION.

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

1 Section 1. Amend Chapter 66 of Title 16 of the Delaware Code by making deletions as shown by strikethrough
2 and insertions as shown by underline as follows:

3 Chapter 66. Fire Prevention

4 Subchapter 1. State Fire Prevention Commission

5 § 6604 State Fire Prevention Commission – Powers and duties.

6 The State Fire Prevention Commission shall have authority to:

7 (1) Formulate rules and regulations, with appropriate notice to those affected; all rules and regulations shall be
8 promulgated in accordance with the procedures specified in the Administrative Procedures Act (Chapter 101 of Title 29) of
9 this State.

10 (10) Hear and resolve complaints and grievances concerning issues between fire companies.

11 (11) Hear and resolve complaints and grievances concerning claims of official misconduct by fire fighters and fire
12 companies.

13 (12) Investigate injuries to firefighters incurred in the line of duty, to issue subpoenas in furtherance of such
14 investigations, and to issue reports of its findings and conclusions with respect to such investigations.

15 ~~(13)~~ (13) Perform all acts and do such things necessary or convenient to carry out the powers granted herein. The
16 Fire Prevention Commission and individuals acting on its behalf shall be absolutely immune from any claims asserted
17 against them in performing any of the duties described in this section.

SYNOPSIS

This bill seeks to provide the State Fire Commission with the authority to hear and resolve disputes filed by members of the public or fire companies with respect to firefighting activities by individual firefighters and fire companies. The Commission may utilize existing regulations to hear such disputes or may promulgate additional regulations consistent and in furtherance of this subsection. This bill also authorizes the Commission and its staff to investigate fires where firefighters are injured and to issue investigative reports detailing findings and conclusions. Finally, the bill provides immunity to the Commission and its staff for activity authorized by this section.