

COUNCIL OF THE DISTRICT OF COLUMBIA

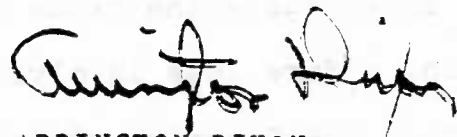
NOTICE

D.C. LAW 4-119

"District of Columbia Arson Reporting Immunity Act of 1982".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-135 on first and second readings, March 23, 1982 and April 6, 1982, respectively. Following the Signature of the Mayor on May 4, 1982, this legislation was assigned Act No. 4-182, published in the May 14, 1982 edition of the D.C. Register, (Vol. 29 page 1952) and transmitted to Congress on May 5, 1982 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-119, effective June 19, 1982.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27

June 2,3,4,7,8,9,10,11,14,15,16,17,18

D.C. LAW 4 - 119
EFFECTIVE DATE JUN 19 1982

AN ACT

D.C. ACT 4 - 182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 4 - 1982

To increase the ability of the District of Columbia to combat arson by authorizing the Fire Marshal and other law enforcement agencies to seek disclosure of arson-related information from insurers; to require insurers to report suspicious fires to the Fire Marshal or such agencies; to provide limited immunity to persons supplying such information; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "District of Columbia Arson Reporting Immunity Act of 1982".

Sec. 2. Arson Reporting Immunity.

(a) If the Fire Marshal or any agency empowered to investigate the cause of, or circumstances attendant upon, a fire loss involving real or personal property within the District of Columbia or empowered to institute criminal prosecutions for criminal acts causing, or related to, a fire loss has reason to believe that a fire was caused by other than accidental means, the Fire Marshal or such authorized agency may require, by written demand, any insurer investigating a fire loss to release any relevant information in its possession relating to that fire loss. Relevant information may include, but is not limited to:

CODIFICATION
New
D.C. Code,
sec. 4-317
(1981 ed.)

(1) the insurance policy in force;
(2) applications for an insurance policy;
(3) the premium payments record;
(4) the history of previous claims made; and
(5) material relating to the investigation
of the loss, including statements of any person, proof
of loss, and any other evidence relevant to the
investigation.

(b) Whenever an insurer has reason to believe
that a fire loss in which it has an interest may have
been caused by other than accidental means, the insurer
shall, for the purpose of having the fire loss
investigated, notify the Fire Marshal or an authorized
agency in writing and furnish the Fire Marshal or such
agency with all relevant information acquired during
its investigation of the fire loss.

(c) No insurer (or person acting on behalf of an
insurer) who in good faith furnished information
pursuant to subsections (a) or (b) shall be liable
therefore.

(d) Any information or evidence furnished
pursuant to subsections (a) or (b) shall be held in
confidence by and among the Fire Marshal and authorized
agencies, except that such information or evidence may
be released in a criminal or civil proceeding in
accordance with applicable court rules.

(e) Whoever shall knowingly:

(1) refuse to release any information requested pursuant to subsection (a);

(2) fail to notify or supply information to the Fire Marshal or an authorized agency pursuant to subsection (b); or

(3) fail to hold in confidence information required to be held in confidence in accordance with the provisions of subsection (d); shall be fined not more than \$10,000.

(f) Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 29, 1977 (D.C. Law 1-96; D.C. Code, sec. 1-1524(a)) is amended as follows:

D.C. Code,
sec. 1-1524
(1981 ed.)

(1) paragraph (7) is amended by striking the word "and";

(2) paragraph (8) is amended by striking the period at the end thereof and inserting the phrase "; and" in lieu thereof; and

(3) a new paragraph (9) is added at the end thereof to read as follows:

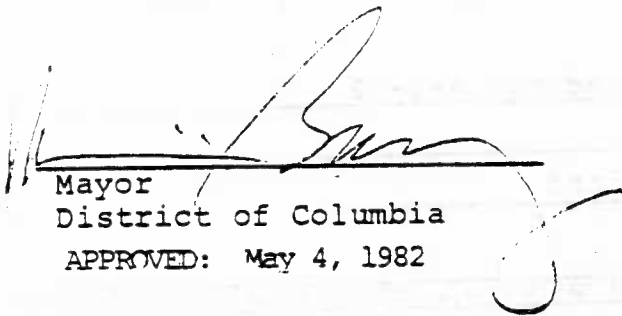
"(9) Information disclosed pursuant to the District of Columbia Arson Reporting Immunity Act of 1982."

Sec. 3. This act shall take effect after a thirty (30)-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of

Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: May 4, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
First Session

DOCKET NO: B 4-135

Item on Consent Calendar

ACTION: Adopted First Reading, 3-23-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

William B. Cunningham
Secretary to the Council

April 7, 1982
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 4-6-82

VOICE VOTE: Unanimous

Absent: Ray and Crawford

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

William B. Cunningham
Secretary to the Council

April 7, 1982
Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHM. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council

Date