

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Givens**

A BILL ACT 984 OF 1991
HOUSE BILL 1205

For An Act To Be Entitled

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8 *"AN ACT TO AMEND ARKANSAS CODE 23-88-102 TO PROVIDE FOR*
9 *PROCEDURES TO PERMIT VOLUNTEER FIRE DEPARTMENTS TO COLLECT*
10 *FEEES FROM NONMEMBERS WITHIN THEIR DISTRICTS; AND FOR OTHER*
11 *PURPOSES."*

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code 23-88-102 is amended to read as follows:

16 "23-88-102. Paying costs of volunteer fire department services.

17 (a) The amount charged by a volunteer fire department for the cost of
18 its services in responding to a fire on the property of a nonmember within its
19 district shall not exceed an amount equal to *the fair market value of the*
20 *service rendered.*

21 (b) When a volunteer fire department responds to a fire occurring
22 within its district and the property which is the subject of the alarm is
23 owned by a nonmember and insured for damage resulting from the fire, the
24 insurance company insuring the loss shall pay to the volunteer fire department
25 the *fair market value of its services from the insurance proceeds. Notice to*
26 *both the insurance company and to the insured non-member by the volunteer fire*
27 *department for its costs of services shall be by certified mail within ten*
28 *(10) days after the date of the services rendered.*

29 (c) *In the event a non-member desires to contest an assessment, the*
30 *non-member may notify the fire department board of his objection to the*
31 *assessment, and the fire department board shall file a civil suit in the*
32 *nearest municipal court within ten (10) days asking for the amount claimed by*
33 *the fire department. The municipal court shall give a hearing on the matter*
34 *within ten (10) days to determine if the amount claimed is fair compensation*
35 *for the services rendered. If the amount of the assessment is contested in*
36 *municipal court, the fire department shall immediately notify the insurer of*

