

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H. F. 621
Version: First Engrossment
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Subject: Arson
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Overview

This bill: (1) expands first degree arson to include additional accelerant materials;

(2) provides that fourth degree arson applies only if first, second or third degree arson are not committed; and (3) proposes a new petty misdemeanor for students who operate ignition devices in an educational building.

- 1 Arson in the first degree.** Expands first degree arson to include fires caused by any flammable material, including flammable solids and gases. The current provision is limited to flammable liquids. Defines "flammable material" to include a flammable or combustible liquid, a flammable gas or a flammable solid. Retains the definition of flammable liquid in current law and adds definitions of combustible liquid, flammable gas, and flammable solid.
- 2 Crime described (fourth degree arson).**

Eliminates the reference to "real" property in fourth degree arson and clarifies that fourth degree arson applies only when first, second, or third degree arson are not committed. Under current law:

 - first degree arson covers arson of a dwelling, an occupied building and use of an accelerant,
 - second degree arson covers arson that damages a building of any value or personal property valued at more than \$1,000,
 - third degree arson covers arson that damages property with a value of more than \$300 to \$1,000 and,
 - fourth degree arson covers burning real or personal property in a multiple unit residential building or public building.
- 3 Possession or use of ignition device, petty misdemeanor.** Proposes a new petty misdemeanor for students who use an ignition device in an educational building under circumstances where a

fire is likely to occur.

- 4 **Effective Date.** Makes the bill effective August 1, 1999, for crimes occurring on or after that date.