

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-469

AN ACT CONCERNING INFORMATION TO BE FURNISHED BY AN

Title: INSURANCE COMPANY RELATIVE TO FIRE OR EXPLOSION LOSS.

Vote Date: 3/28/2018

Vote Action: Joint Favorable

PH Date: 3/14/2018

File No.: 522

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

The bill concept comes to the Judiciary committee from Senator Logan.

This bill makes it possible for authorized agencies (now expanded to include federal, state, or local peace officers) to request, in writing, information from insurance companies relating to any loss or potential loss due to fire or explosion (fire/explosion does not have to be of suspicious origin). This will make it easier for investigators to solve crimes involving fire/explosions.

Insurance companies are also required to share relevant information with investigators if it suspects the fire was caused by either incendiary or *undetermined* means (previously only "incendiary means" required information sharing).

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut, Division of Criminal Justice:

Supports the bill which addresses the same subject matter as SB 283. This bill allows fire marshals to obtain information from insurance companies when there is an explosion (currently they can only get records when there is a suspicious fire). It also allows law enforcement to obtain insurance company investigation records whether a fire has been determined to be suspicious or not. The other positive change made by the bill is expanding the definition of "authorized agency" to include federal, state and local law enforcement officers who are investigating a fire or explosion.

NATURE AND SOURCES OF SUPPORT:

Connecticut Fire Marshal's Association, Roger Nelson, Fire Marshal:

Supports the bill because the changes will allow police agencies to easily work together with local fire marshals. This corrects the problems that were created when the Governor separated the Office of State Fire Marshal and the State Police Fire Explosion and Investigation Unit into two different departments. After this change, a warrant was required for a fire marshal to be able to share information obtained from insurance companies with law enforcement working the same fire incident. The changes in the bill will be especially helpful in smaller towns that have resident state troopers and part time fire marshals.

Naugatuck Police Department, Ronald J. Pugliese Jr., Sergeant:

Supports the bill because it will allow police investigators to have access to insurance information that could be critical in solving crimes involving fire or explosions.

Some examples of information that would be useful in a criminal investigation are if a new insurance policy was taken out on the house or if the policy benefits were increased right before the fire. If a death occurred in the fire, investigators need to know if a life insurance policy was taken out on the victim right before the fire. When investigating a fire, the fire marshal and police need to work together. The fire marshal needs to determine the origin and cause of the fire while the police determine motive, means and opportunity for setting the fire. Information from insurance companies can provide crucial evidence in this process.

Sgt. Pugliese notes that there are no legal reasons to not allow police to have access to insurance information.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Tamara Morris

Date: April 24, 2018