



# Fire Protection Services

## Executive Summary

Fire protection services, which are provided to the public via fire associations, fire protection districts, and fire departments, are governed differently according to state statutes (RSMo Chapter [320](#) and [321](#)). Fire jurisdictions may have stations close in proximity, overlap in response areas, and the closest stations to an incident may not be within that jurisdiction, causing issues in response times. Improving the effectiveness and efficiency of fire protection services is the leading reason to modify fire protection service boundaries and jurisdictions. Local fire service boundaries can be modified through annexation, expansion, consolidation, and shared service agreements.

## Highlights

- According to 2017 U.S. census data, 21.3% of the 1,881 single function special government districts in Missouri were related to fire protection.
- Changes to service boundaries are intended to provide greater fire protection services to the public, particularly those in rural areas.
- Several bills have been filed this legislative session to permit a public safety tax in order to increase funds for services including fire safety services.

## Limitations

- There is no publicly available information pertaining to how many Missouri fire departments, fire districts, and fire associations have modified service boundaries.
- There is limited peer review research on the implications of modifying service boundaries.

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## Research Background

### Missouri Fire Protection Service Options

All fire associations, fire protection districts, and fire departments are required to register in accordance with RSMo [320.271](#).<sup>1</sup> Missouri has roughly 700 [registered fire protection services](#). Of the 1,881 single function special government districts in MO, fire protection accounted for 21.3% according to 2017 U.S. census data.<sup>2,3</sup> Fire protection services can be provided to the public in three ways:<sup>1</sup>

- (1) **Fire Associations:** A fire association is a not-for-profit company organized to assist members who pay membership dues. Fire associations raise money through **donations and member subscriptions**. While they have little statutory power, state law gives volunteer fire protection associations permission to fight fires of

nonmembers and subsequently bill them.<sup>4</sup> Fire associations raise money through donations, selective grants, and subscription memberships and do not receive tax or general revenue. Fire associations are monitored by an elected board of directors who are elected by the members who pay dues. Fire associations can be employed by paid (career firefighters) and/or unpaid (volunteer firefighters) personnel. Missouri Sunshine laws do not apply to fire associations.

- (2) Fire Protection District (FPD): A FPD is governed by a board that is elected by people. FPDs **raise funds from property taxes** from those residing in the district. FPDs operate as independent special services from local government and their activities and budget are overseen by the fire protection district itself, limiting the amount of oversight by local government and taxpayers.<sup>4</sup> FPDs function based on laws defined in RSMo Chapter [321](#) and Section [72.418](#) for fire protection districts annexed by cities. FPDs include a Fire Chief and can have paid (career firefighters) and/or unpaid (volunteer firefighters) personnel. Missouri Sunshine laws do apply to FPDs.
- (3) Fire Department (FD): FDs are a dependent subunit of a municipal government. FDs derive **funds from municipality's general revenue**, which is derived from fees, property, and sales taxes (see our previously published Science Note: [Missouri Tax Overview](#)). Additionally, FDs can obtain additional funds from donations, fundraisers, and grants applied for by the city on behalf of the FD. Unlike a FPD, a FD is publicly funded, has its budget and activities overseen by the local government, and subjected to Missouri Sunshine laws. FDs include a Fire Chief and can have paid (career firefighters) and/or unpaid (volunteer firefighters) personnel.<sup>4</sup>

### **Modifications to Service Boundaries**

Local fire service boundaries can be modified through annexation, expansion, consolidation, and shared service agreements.<sup>4</sup> Reasons for modifying service boundaries vary across municipalities and districts, though, the leading reason to modify fire protection service boundaries and jurisdictions is to improve the effectiveness and efficiency of fire protection services, particularly to those in rural areas.<sup>3,4</sup> Changes to service boundaries are not common occurrences and are generally a slow, complex petition process that require a majority vote from the public it would serve.<sup>4</sup>

- (1) Annexation: A city FD can annex into an unincorporated area and become the provider for fire protection services. If a City FD annexes an area that already has a fire district, the fire protection district continues to service their established district.<sup>4</sup>
- (2) Expansion: FPDs can expand into unincorporated or incorporated areas to include a city. Expansions involve the owners of that property or residents of an area petitioning the board to join the district. It must be a contiguous expansion, meaning it must share a current boundary line and not be separated by another district or association.

Expansion can help reduce response times by permitting jurisdiction to a closer FPD compared to privately paying a fire association.<sup>4</sup>

- (3) Consolidation: Two or more FPDs merge and become one FPD with the intent to increase levels of service. In FPD consolidations, personnel are rehired and one FPD Chief presides.<sup>4</sup> Additionally, any prior indebtedness of a district will be paid by the residents of that district prior to consolidation.<sup>4</sup>
- (4) Shared Services Agreement: Two entities that have similar service capabilities create mutual aid agreements to serve both districts.<sup>4</sup> This includes training facilities, hazardous materials incidents, and personnel.<sup>4</sup>

### **State Legislation: Funding with Boundary Changes**

States vary in legislation regarding funding and pay structures when modifying fire protection boundaries. In general, there are many commonalities in state legislation regarding prior bond indebtedness of a fire protection district before annexation, where debts are paid out by those residing in that district prior to annexation.<sup>4</sup> While individual state laws may make the process complex, these decisions are usually voted on by residents and permit opportunities to partake in decisions surrounding their emergency services.<sup>3</sup>

In Missouri, fire departments and fire protection districts are governed under two different statutes when it comes to funding with boundary changes (RSMo [321.322](#) and [72.418](#)). RSMo [321.322](#) suggests that if an annexed area already has a fire district – dependent on county class – there is a transition period to account for financial impact. Annexed districts can receive a lump sum of the revenue the district would have generated over a 5-year period or can be paid in installments over a 5-year period. Additionally, filed in 2022, HB [1961](#) provides more discretion to FPD in certain areas to choose command structure with annexation and choose to be solely responsible for fires in their district.

RSMo [72.418](#) stipulates that city fire departments with boundary commissions (responsible for the review of proposals affecting the boundaries of incorporated and unincorporated areas, such as St. Louis County) pay fire protection districts what they would receive in property taxes each year *indefinitely*. In other words, taxes collected and distributed by the county collector go to the city FD, and are redistributed to the fire protection district at their district's tax rate.

There are numerous associated costs of running a FD and FPD including: insurance, payroll costs, pension, personnel costs, station utilities, fuel, office supplies, uniforms, safety gear, repairs and maintenance, tools and equipment, EMS supplies, and training. As previously stated, fire departments are funded primarily through general revenue collected by local governments (e.g., sales tax, property tax), in addition to fundraisers, donations, and grants.<sup>4</sup> Similarly, fire protection districts obtain funds primarily through property taxes from their district, and can also receive donations and grants.<sup>4</sup> Funding levels are associated with fire service efficacy; if there is not enough revenue to support training, personnel, equipment, and vehicle maintenance, the

ability for fire services to safely assist in emergencies is reduced.<sup>5</sup> Numerous bills filed in the 2022 Missouri Legislative Session permit municipalities to levy a public safety tax to help generate funds for all public safety services including fire departments and districts (HB [2214](#), HB [2291](#), SB [966](#), SB [1060](#)). One bill in particular allows fire associations to obtain revenue from enforced public safety taxes (HB [2147](#)).

## References

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