

STATE OF NEW YORK

8882

IN ASSEMBLY

January 19, 2022

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing the fire station construction grant program; to amend the state finance law, in relation to establishing the fire station construction fund; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The executive law is amended by adding a new section 719 to
2 read as follows:

3 § 719. Fire station construction grant program. 1. There is hereby
4 established within the division of homeland security and emergency
5 services a fire station construction grant program to be administered by
6 the commissioner for the purpose of awarding grants to fire departments
7 to assist in defraying the costs of eligible fire station projects. The
8 commissioner is authorized, within amounts from any source appropriated
9 or otherwise provided for such purpose, to make grants for such purpose.

10 2. Project grants shall be awarded on a competitive basis through a
11 request for proposal process which shall set forth the standards for the
12 selection process, the required project proposal format, costs eligible
13 for funding, project implementation requirements, reporting require-
14 ments, and such other provisions as the commissioner may deem necessary
15 or beneficial in implementing the program. The governing body of a fire
16 department seeking to apply for a grant shall submit an application on
17 behalf of the fire department to the commissioner. All such applications
18 shall have been reviewed, finalized and approved by the governing board
19 of the fire department prior to submission to the commissioner. Each
20 such application shall:

21 (a) demonstrate a specific need grant funds;
22 (b) demonstrate that resources are or shall be available to provide
23 for maximum utilization of the project if the grant is approved;
24 (c) contain verification in such form as may be acceptable to the
25 commissioner that the total cost of the project, exclusive of grant

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 funds, has been or will be obtained by the fire department in a timely
2 manner in order to complete the project;

3 (d) demonstrate that fire station operations would be made more
4 economical as a consequence of approval of the grant application;

5 (e) be limited to one project concerning a fire department building,
6 provided that no building shall be the subject of more than one applica-
7 tion per year; and

8 (f) provide such other information as may be required by the commis-
9 sioner.

10 3. Subject to availability of funds within the fire station
11 construction fund established by section ninety-nine-00 of the state
12 finance law, the commissioner may award grants for up to seventy-five
13 percent of the total project approved costs of a project.

14 4. In approving any application, the commissioner shall consider the
15 condition of the existing fire station building that is the subject of
16 the application and, where appropriate, the needs of isolated or econom-
17 ically disadvantaged communities. No application shall be approved for a
18 project that is deemed by the commissioner to have been completed prior
19 to the date of the application.

20 5. As used in this section:

21 (a) "Fire department" means a paid or volunteer fire department, fire
22 company or fire district responsible for the operation of one or more
23 municipal fire stations.

24 (b) "Eligible fire station project" or "project" means a project for
25 the acquisition, construction, renovation or rehabilitation, including
26 leasehold improvements, of buildings owned and utilized by a fire
27 department in the provision of services to the community served by the
28 fire department or an infrastructure improvement to such buildings.
29 Infrastructure improvements may include upgraded electrical or communi-
30 cations equipment. "Eligible fire station project" or "project" does not
31 include feasibility studies, plans, investigations or other similar
32 undertakings.

33 6. The commissioner shall adopt rules and regulations to carry out the
34 purposes and provisions of this section.

35 § 2. The state finance law is amended by adding a new section 99-00 to
36 read as follows:

37 § 99-00. Fire station construction fund. 1. There is hereby estab-
38 lished in the joint custody of the state comptroller and the commis-
39 sioner of the division of homeland security and emergency services a special
40 fund to be known as the "fire station construction fund".

41 2. Moneys of the fire station construction fund shall be available to
42 the commissioner of the division of homeland security and emergency
43 services for the administration and purposes of the fire station
44 construction grant program established by section seven hundred nineteen
45 of the executive law.

46 3. The fund shall consist of all moneys appropriated for its purpose
47 and all other moneys credited or transferred thereto from any other fund
48 or source pursuant to law.

49 4. Moneys in the fire station construction fund shall be kept sepa-
50 rately from and shall not be commingled with any other moneys in the
51 joint or sole custody of the state comptroller or the commissioner of
52 the division of homeland security and emergency services.

53 5. Moneys in the fire station construction fund shall be payable from
54 the fund on the audit and warrant of the state comptroller on vouchers
55 approved and certified by the commissioner of the division of homeland
56 security and emergency service.

1 § 3. The sum of ten million dollars (\$10,000,000), or so much thereof
2 as may be necessary, is hereby appropriated to the fire station
3 construction fund out of any moneys in the state treasury in the general
4 fund to the credit of the state purposes account, not otherwise appro-
5 priated, and made immediately available, for the purpose of carrying out
6 the provisions of this act.

7 § 4. This act shall take effect on the first of April next succeeding
8 the date on which it shall have become a law.