

S. 3262

A. 4113

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

January 31, 2013

IN SENATE -- Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law and the town law, in relation to authorizing fees and charges for emergency medical services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 4 of section 209-b of the general municipal  
2 law, as amended by chapter 718 of the laws of 1958, is amended to read  
3 as follows:  
4 4. Fees and charges [prohibited] AUTHORIZED. Emergency and general  
5 ambulance service, INCLUDING EMERGENCY MEDICAL SERVICE AS DEFINED IN  
6 SECTION THREE THOUSAND ONE OF THE PUBLIC HEALTH LAW, authorized pursuant  
7 to this section [shall] MAY be furnished without cost to the person  
8 served; PROVIDED, HOWEVER, THAT THE AUTHORITIES HAVING CONTROL OF A FIRE  
9 DEPARTMENT OR FIRE COMPANY THAT HAVE AUTHORIZED SUCH FIRE DEPARTMENT OR  
10 FIRE COMPANY TO PROVIDE SUCH SERVICE OR SERVICES MAY FIX A SCHEDULE OF  
11 FEES OR CHARGES TO BE PAID BY PERSONS REQUESTING SUCH SERVICE OR  
12 SERVICES. THE AUTHORITIES HAVING CONTROL OF A FIRE DEPARTMENT OR FIRE  
13 COMPANY MAY PROVIDE FOR THE COLLECTION OF FEES AND CHARGES OR MAY FORMU-  
14 LATE RULES AND REGULATIONS FOR THE COLLECTION THEREOF BY THE FIRE  
15 DEPARTMENT OR FIRE COMPANY. WHEN FEES AND CHARGES ARE AUTHORIZED PURSU-  
16 ANT TO THIS SUBDIVISION, THE FEES AND CHARGES COLLECTED SHALL BE  
17 DISBURSED IN ACCORDANCE WITH A WRITTEN CONTRACT ENTERED INTO BETWEEN THE  
18 AUTHORITY HAVING CONTROL OF A FIRE DEPARTMENT OR FIRE COMPANY AND THE  
19 FIRE DEPARTMENT OR FIRE COMPANY ITSELF. The acceptance by any fireman  
20 of any personal remuneration or gratuity, directly or indirectly, from a

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

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1 person served shall be a ground for his expulsion or suspension as a  
2 member of the fire department or fire company.

3 S 2. Paragraph (e) of subdivision 1 of section 122-b of the general  
4 municipal law, as amended by chapter 303 of the laws of 1980, is amended  
5 to read as follows:

6 (e) [No] A contract [shall] MAY be entered into pursuant to the  
7 provisions of this section for the services of an emergency rescue and  
8 first aid squad of a fire department or fire company which is subject to  
9 the provisions of section two hundred nine-b of the general municipal  
10 law;

11 S 3. Subdivision 1 of section 184 of the town law, as amended by chap-  
12 ter 599 of the laws of 1994, is amended to read as follows:

13 1. Whenever the town board shall have established or extended a fire  
14 protection district pursuant to the provisions of this article, the town  
15 board shall provide for the furnishing of fire protection within the  
16 district and for that purpose may (a) contract with any city, village,  
17 fire district or incorporated fire company maintaining adequate and  
18 suitable apparatus and appliances for the furnishing of fire protection  
19 in such district or (b) may acquire by gift or purchase such apparatus  
20 and appliances for use in such district and may contract with any city,  
21 village, fire district or incorporated fire company for operation, main-  
22 tenance, and repair of the same and for the furnishing of fire  
23 protection in such district, or both. The contract may also provide for  
24 the furnishing of (1) emergency service in case of accidents, calamities  
25 or other emergencies in connection with which the services of firefight-  
26 ers would be required and (2) general ambulance service subject, howev-  
27 er, to the provisions of section two hundred nine-b of the general  
28 municipal law. In the event that the fire department or fire company  
29 furnishing fire protection within the district pursuant to contract does  
30 not maintain and operate an ambulance then a separate contract may be  
31 made for the furnishing within the district of emergency ambulance  
32 service or general ambulance service, or both, with any city, village or  
33 fire district the fire department of which, or with an incorporated fire  
34 company having its headquarters outside the district which, maintains  
35 and operates an ambulance subject, however, in the case of general ambu-  
36 lance service, to the provisions of section two hundred nine-b of the  
37 general municipal law, or with an ambulance service, certified or regis-  
38 tered pursuant to article thirty of the public health law[, which is not  
39 organized under the provisions of section two hundred nine-b of the  
40 general municipal law]. Any such contract with any such ambulance  
41 service permitted herein shall be subject to the provisions of this  
42 section.

43 S 4. This act shall take effect on the ninetieth day after it shall  
44 have become a law.