STATE OF NEW YORK

8271

2019-2020 Regular Sessions

IN ASSEMBLY

June 11, 2019

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

AN ACT to amend the general municipal law, in relation to qualifications of a fire chief

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

Section 1. The general municipal law is amended by adding a new section 204-dd to read as follows:

§ 204-dd. Qualifications of a fire chief. No person shall be eligible for appointment or election as a fire chief, or any title or rank that includes the duties of the chief, in any fire department or fire company with six or more paid firefighters, unless he or she meets the requirements established by the chief training and education task force as defined in subdivision one of this section. For purposes of this section, the term firefighter shall mean a member of a fire department whose duties include fire service as defined in paragraph d of subdivision eleven of section three hundred two of the retirement and social security law and who has been assigned by his or her department as an interior firefighter.

1. There is hereby established within the department of homeland security and emergency services a chief training and education task force. The purpose of the task force is to establish minimum qualifications for any chief, or any title or rank that includes the duties of a chief, in any fire department or fire company with six or more paid firefighters. The task force shall no later than one hundred eighty days after the effective date of this section, submit to the state fire administrator recommendations based on the qualifications established by the task force. Upon receipt of the task force recommendations, the state fire administrator shall promulgate rules and regulations based upon recommendations of the task force.

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

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2. The task force shall thereafter meet annually to review previously established qualifications by the task force and amend any qualifications such task force deems necessary. The state fire administrator shall issue amended rules and regulations based on amendments recommended by the task force.

3. The chief training and education task force shall consist of six members and shall include the commissioner of homeland security and emergency services or his or her designee; the president of the firemen's association of the state of New York or his or her designee; the president of the New York state association of fire chiefs or his or her designee; the president of the association of fire districts of New York state or his or her designee; the president of the county fire coordinators of the New York state or his or her designee; and the president of the New York state professional firefighters association or his or her designee. All appointees of the chief training and education task force shall be made no later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

4. The members of the chief training and education task force shall serve without compensation, except that members shall be allowed their necessary and actual expenses incurred in the performance of their duties under this section.

5. The department of homeland security shall provide the chief training and education task force with such facilities, assistance, and data as will enable such task force to carry out its powers and duties.

§ 2. This act shall take effect immediately.