STATE OF NEW YORK

6524

2019-2020 Regular Sessions

IN SENATE

June 14, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil service law, the general municipal law and the executive law, in relation to the minimum qualifications to serve as a fire chief in any fire department, fire district or fire protection district that employs six or more paid firefighters

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

Section 1. Subdivision 6 and paragraph (b) of subdivision 7 of section 58-a of the civil service law, subdivision 6 as amended and paragraph (b) of subdivision 7 as added by chapter 406 of the laws of 2018, are amended to read as follows:

6. The provisions of this section shall not apply to appointments made by any county, city, town, village or fire district which employs [~~fewer than five~~] five or fewer fire fighters.

(b) has successfully completed training and education [~~courses of minimum contact hour criteria approved~~] requirements established by the state fire administrator [~~and received certification for supervisory level 1 or higher pursuant to 19 NYCRR 427.9~~].

§ 2. 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 the 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 requirements as established by the most recently developed recommended best practices for incident commanders adopted by the New York state division of homeland security and emergency services, office of fire prevention and control. The state fire administrator shall promulgate rules and regulations based upon requirements established pursuant to the most recently developed recommended best practices for incident commanders. For the

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

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purpose 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 has been assigned by his or her department as an interior firefighter.

§ 3. The executive law is amended by adding a new section 159-d to read as follows:

§ 159-d. Training for fire chiefs. The state fire administrator may conduct the training and education required for fire chiefs pursuant to subdivision seven of section fifty-eight-a of the civil service law and section two hundred four-dd of the general municipal law with sufficient frequency to enable individuals to satisfy the necessary qualifications for a fire chief pursuant to such section. To the extent practicable, such training and education may be made available in all geographic regions of the state. Such regions may be determined by the state fire administrator.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.