

# STATE OF NEW YORK

8251

## IN SENATE

April 27, 2020

Introduced by Sens. KAMINSKY, BROOKS, GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to the determination of points for service award programs for volunteer firefighters during a state disaster emergency and authorizing service award program sponsors to adjust certain point systems when such sponsor adopts written emergency response protocols

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

1 Section 1. Section 217 of the general municipal law is amended by  
2 adding two new subdivisions (p) and (q) to read as follows:

3 (p) For purposes of determining total points earned for a calendar  
4 year, an active volunteer firefighter service award program may provide  
5 for the crediting of five additional points per month, prorated for  
6 periods of less than one month, to each active participant for each  
7 month that special emergency response rules were in place restricting  
8 firefighter responses to emergency responses and/or restricting the  
9 holding of activities for which points could be earned due to guidelines  
10 related to a state disaster emergency, as such term is defined in  
11 section twenty of the executive law, declared pursuant to executive  
12 order two hundred two of two thousand twenty, as amended, to address the  
13 outbreak of novel coronavirus, COVID-19.

14 (q) The program sponsor may make adjustments to the point system cate-  
15 gory entitled "participation in department responses" in the event that  
16 such program sponsor adopts written emergency response protocols setting  
17 different emergency response requirements for the fire department, fire  
18 companies, squads and units thereof such that certain participants are  
19 not permitted to respond and restricted from responding to all non-emer-  
20 gency rescue and first aid squad calls and/or all emergency rescue and  
21 first aid squad calls. Such restrictions on response may relate to  
22 determinations made by the district physician as to the duties that may  
23 be assigned to certain personnel. In the event that the program sponsor  
24 adopts different response requirements for different groups, partic-

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

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1 ipants in those groups shall be required to respond to the minimum  
2 number of emergency calls assigned to their group by applying the  
3 percentage provided for in paragraph (iv) of subdivision (c) of this  
4 section. Notwithstanding the provisions of section two hundred sixteen  
5 of this article, a point system amendment to address written emergency  
6 response protocols may be adopted by the affirmative vote of at least  
7 sixty percent of such governing board, without referendum. Such amend-  
8 ment shall only take effect as of the first day of January next succeed-  
9 ing completion of the proceedings required for adoption of the amendment  
10 and shall only apply prospectively unless the new written emergency  
11 response protocol is adopted in order to address a state disaster emer-  
12 gency, as such term is defined in section twenty of the executive law,  
13 and applicable to the county or counties in which the fire department  
14 operates, in which case such amendment may be applied in the year  
15 adopted.

16 § 2. This act shall take effect immediately.