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:

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

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

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

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

LBD16211-01-0

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

§ 2. This act shall take effect immediately.