STATE OF NEW YORK

3045

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing the fire station construction grant program; to amend the state finance law, in relation to establishing the fire station construction fund; and making an appropriation therefor

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

Section 1. The executive law is amended by adding a new section 719 to read as follows:

§ 719. Fire station construction grant program. 1. There is hereby established within the division of homeland security and emergency services a fire station construction grant program to be administered by the commissioner for the purpose of awarding grants to fire departments to assist in defraying the costs of eligible fire station projects. The commissioner is authorized, within amounts from any source appropriated or otherwise provided for such purpose, to make grants for such purpose.

2. Project grants shall be awarded on a competitive basis through a request for proposal process which shall set forth the standards for the selection process, the required project proposal format, costs eligible for funding, project implementation requirements, reporting requirements, and such other provisions as the commissioner may deem necessary or beneficial in implementing the program. The governing body of a fire department seeking to apply for a grant shall submit an application on behalf of the fire department to the commissioner. All such applications shall have been reviewed, finalized and approved by the governing board of the fire department prior to submission to the commissioner. Each such application shall:

(a) demonstrate a specific need grant funds;

(b) demonstrate that resources are or shall be available to provide for maximum utilization of the project if the grant is approved;

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

LBD06567-01-3

(c) contain verification in such form as may be acceptable to the commissioner that the total cost of the project, exclusive of grant funds, has been or will be obtained by the fire department in a timely manner in order to complete the project;

(d) demonstrate that fire station operations would be made more economical as a consequence of approval of the grant application;

(e) be limited to one project concerning a fire department building, provided that no building shall be the subject of more than one application per year; and

(f) provide such other information as may be required by the commissioner.

3. Subject to availability of funds within the fire station construction fund established by section ninety-nine-qq of the state finance law, the commissioner may award grants for up to seventy-five percent of the total project approved costs of a project.

4. In approving any application, the commissioner shall consider the condition of the existing fire station building that is the subject of the application and, where appropriate, the needs of isolated or economically disadvantaged communities. No application shall be approved for a project that is deemed by the commissioner to have been completed prior to the date of the application.

5. As used in this section:

(a) "Fire department" means a paid or volunteer fire department, fire company or fire district responsible for the operation of one or more municipal fire stations.

(b) "Eligible fire station project" or "project" means a project for the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings owned and utilized by a fire department in the provision of services to the community served by the fire department or an infrastructure improvement to such buildings. Infrastructure improvements may include upgraded electrical or communications equipment. "Eligible fire station project" or "project" does not include feasibility studies, plans, investigations or other similar undertakings.

6. The commissioner shall adopt rules and regulations to carry out the purposes and provisions of this section.

§ 2. The state finance law is amended by adding a new section 99-qq to read as follows:

§ 99-qq. Fire station construction fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of the division of homeland security and emergency services a special fund to be known as the "fire station construction fund".

2. Moneys of the fire station construction fund shall be available to the commissioner of the division of homeland security and emergency services for the administration and purposes of the fire station construction grant program established by section seven hundred nineteen of the executive law.

3. The fund shall consist of all moneys appropriated for its purpose and all other moneys credited or transferred thereto from any other fund or source pursuant to law.

4. Moneys in the fire station construction fund shall be kept separately from and shall not be commingled with any other moneys in the joint or sole custody of the state comptroller or the commissioner of the division of homeland security and emergency services.

5. Moneys in the fire station construction fund shall be payable from the fund on the audit and warrant of the state comptroller on vouchers

approved and certified by the commissioner of the division of homeland security and emergency service.

§ 3. The sum of ten million dollars ($10,000,000), or so much thereof as may be necessary, is hereby appropriated to the fire station construction fund out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for the purpose of carrying out the provisions of this act.

§ 4. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.