

# 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:

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

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

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

21 (a) demonstrate a specific need grant funds;

22 (b) demonstrate that resources are or shall be available to provide  
23 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.

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

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

7 (e) be limited to one project concerning a fire department building,  
8 provided that no building shall be the subject of more than one applica-  
9 tion per year; and

10 (f) provide such other information as may be required by the commis-  
11 sioner.

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

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

22 5. As used in this section:

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

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

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

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

39 § 99-qq. Fire station construction fund. 1. There is hereby estab-  
40 lished in the joint custody of the state comptroller and the commis-  
41 sioner of the division of homeland security and emergency services a special  
42 fund to be known as the "fire station construction fund".

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

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

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

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

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

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

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