STATE OF NEW YORK

8371

2023-2024 Regular Sessions

IN ASSEMBLY

December 13, 2023

Introduced by M. of A. BURKE -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to requiring certain municipalities to establish fire departments to oversee firefighter entities within the municipality and ensure safe staffing of such firefighter entities

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

Section 1. The general municipal law is amended by adding a new section 209-h to read as follows:

§ 209-h. Municipal fire departments; safe staffing. 1. For the purposes of this section, the term "firefighter entity" means:

(a) a volunteer fire company of a county, city, town, village or fire district fire department, whether or not any such company has been incorporated under any general or special law,

(b) a fire corporation the members of which are volunteer firefighters and was incorporated, and which is not included within paragraph (a) of this subdivision, if such corporation is by law under the general control of, or recognized as a fire corporation by, the governing board of a city, town, village or fire district, or

(c) a fire corporation the members of which are volunteer firefighters and which was incorporated under, or established pursuant to the provisions of, any general or special law, which is not included within this paragraph and paragraph (b) of this subdivision, if such corporation is by law under the general control of, or recognized as a fire corporation by, the governing board of a city, town, village, fire district or a district corporation other than a fire district.

2. Each county shall establish a county firefighter reserve and each city, town, and village shall establish a fire department which shall oversee and coordinate efforts between all firefighter entities which operate within the municipality, which for the purposes of the county

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

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firefighter reserve shall include any and all fire departments established under this section located within the county.

3. All county firefighter reserves established under this section shall:

(a) hire and train professional firefighters which can be dispatched to firefighter entities within the county to ensure safe staffing. A county firefighter reserve shall, when hiring professional firefighters, prioritize hiring volunteer firefighters from city, town, and village firefighter entities which operate within the county.

(b) establish safe staffing requirements for firefighter entities within the county of at least:

(i) fifteen firefighters where the firefighter entity's service area has a population density of one thousand people per square mile, or more;

(ii) ten firefighters where the firefighter entity's service area has a population density of between one thousand and five hundred people per square mile; and

(iii) six firefighters where the firefighters entity's service area has a population density of five hundred people per square mile, or less.

(c) provide professional firefighters to operate out of firefighter entities which are unable to maintain safe staffing levels.

4. Firefighters operating as a part of the reserve shall only be utilized for calls relating to emergency medical services and shall be trained for such purpose.

5. Nothing in this section shall be deemed to dissolve or merge any firefighter entities.

§ 2. This act shall take effect immediately.