

STATE OF NEW YORK

6009--A

Cal. No. 180

2025-2026 Regular Sessions

IN SENATE

March 4, 2025

Introduced by Sen. BASKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommended to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general municipal law, the penal law, the arts and cultural affairs law and the volunteer firefighters' benefit law, in relation to participants in youth programs sponsored by fire departments

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

1 Section 1. Subdivisions 1, 2, 5 and 7 of section 204-b of the general
2 municipal law, as added by chapter 386 of the laws of 1978, are amended
3 to read as follows:

4 1. Volunteer fire departments and fire companies may establish, oper-
5 ate and maintain youth programs to provide participants with the oppor-
6 tunity to become familiar with the training, programs and operations of
7 fire departments, to provide programs in community fire safety, fire
8 prevention, and public fire prevention education, and to curtail false
9 fire alarms by developing community wide respect for the fire service.

10 2. Volunteer fire departments and fire companies shall establish rules
11 and regulations governing youth programs established pursuant to subdivi-
12 sion one hereof, which shall include the minimum and maximum age for
13 participation, the procedure for participation, removal or expulsion,
14 residence, and provision for adequate supervision of such programs.
15 Volunteer fire departments and fire companies shall also establish writ-
16 ten safety or training procedures for every youth program established
17 pursuant to subdivision one of this section, which shall include, but
18 not be limited to, the prohibitions and guidelines set forth in subdivi-
19 sions five and seven of this section.

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

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1 5. All activities of participants in such program shall be approved in
2 advance by the chief, or [~~his~~] the chief's designee. [~~No activities may~~
3 ~~include emergency duties in connection with fire department or fire~~
4 ~~company operations or any other hazardous activity.~~] Participants may
5 respond to an emergency or hazardous activity, but shall remain in an
6 appropriate and safe designated area that has been established by the
7 chief or officer in charge. The chief or officer in charge shall deter-
8 mine if any such participant is allowed to respond to an emergency in a
9 vehicle using lights and/or sirens. Furthermore, such participants
10 shall not enter a burning structure nor shall participants in a youth
11 program pursuant to this section fall under the definition of active
12 volunteer firefighter as defined in section three of the volunteer fire-
13 fighters' benefit law. Provided, further, a volunteer fire department
14 or fire company shall not allow participants in such program to take
15 part in any activity set forth in subdivision two of section one hundred
16 thirty-three of the labor law.

17 7. Volunteer fire departments and fire companies may purchase accident
18 insurance to insure participants in such programs against injury or
19 death resulting from bodily injuries sustained in performance of
20 approved activities. In addition, they may purchase insurance to protect
21 against liability arising from approved activities. The insurance
22 purchased pursuant to this subdivision may include medical and hospital
23 coverage. A volunteer fire department or fire company shall not allow
24 participants in such program to ride in any vehicle owned or operated by
25 such volunteer fire department or fire company, unless such volunteer
26 fire department or fire company has purchased insurance protecting
27 against liability that could arise from such participant being injured
28 in an accident while riding in such vehicle.

29 § 2. Section 260.10 of the penal law, as amended by chapter 447 of the
30 laws of 2010, is amended to read as follows:

31 § 260.10 Endangering the welfare of a child.

32 1. A person is guilty of endangering the welfare of a child when:

33 [~~1. He or she~~] (a) Such person knowingly acts in a manner likely to be
34 injurious to the physical, mental or moral welfare of a child less than
35 seventeen years old or directs or authorizes such child to engage in an
36 occupation involving a substantial risk of danger to [~~his or her~~] such
37 child's life or health; or

38 [~~2-~~] (b) Being a parent, guardian or other person legally charged with
39 the care or custody of a child less than eighteen years old, [~~he or she~~]
40 such person fails or refuses to exercise reasonable diligence in the
41 control of such child to prevent [~~him or her~~] such child from becoming
42 an "abused child," a "neglected child," a "juvenile delinquent" or a
43 "person in need of supervision," as those terms are defined in articles
44 ten, three and seven of the family court act.

45 [~~3-~~] 2. A person is not guilty of the provisions of this section when
46 [~~he or she~~] such person engages in the conduct described in subdivision
47 one of section 260.00 of this article: (a) with the intent to wholly
48 abandon the child by relinquishing responsibility for and right to the
49 care and custody of such child; (b) with the intent that the child be
50 safe from physical injury and cared for in an appropriate manner; (c)
51 the child is left with an appropriate person, or in a suitable location
52 and the person who leaves the child promptly notifies an appropriate
53 person of the child's location; and (d) the child is not more than thir-
54 ty days old.

55 3. A volunteer fire department or fire company or a member thereof
56 shall not be guilty of a violation of this section for engaging in

1 actions authorized under section two hundred four-b of the general
2 municipal law as part of a youth program.

3 Endangering the welfare of a child is a class A misdemeanor.

4 § 3. Paragraph (e) of subdivision 1 of section 35.07 of the arts and
5 cultural affairs law is amended to read as follows:

6 (e) In any practice or exhibition or place dangerous or injurious to
7 the life, limb, health or morals of such child provided, however, that
8 the provisions of this paragraph shall not apply to: (i) service as a
9 member of a certified volunteer ambulance service under the supervision
10 of an emergency medical technician as provided in article thirty of the
11 public health law by youthful volunteers at least fifteen years of age
12 who hold a current American Red Cross advanced first aid and emergency
13 care card; or (ii) participation in activities authorized under section
14 two hundred four-b of the general municipal law as part of a youth
15 program or as an active volunteer member of a fire department.

16 § 4. Paragraph n of subdivision 1 of section 5 of the volunteer fire-
17 fighters' benefit law, as amended by chapter 161 of the laws of 1983, is
18 amended to read as follows:

19 n. While, [~~within the state and~~] pursuant to orders or authorization,
20 performing work or service [~~leading or directing~~] involving a youth
21 program established pursuant to section two hundred four-b of the gener-
22 al municipal law, including necessary travel directly connected there-
23 with, as well as necessary travel to and necessary travel returning from
24 such activity. This paragraph shall not be interpreted as providing
25 coverage for participants in such youth programs.

26 § 5. This act shall take effect immediately.