§ 209-g. Liability for outside aid. 1. Notwithstanding any inconsistent provision of law, general, special or local, any county, city, town, village or fire district requesting fire aid pursuant to section two hundred nine-e of this article or any county, city, town or village requesting police aid pursuant to section two hundred nine-f of this article, shall be liable and responsible to the assisting municipal corporation or fire district for any loss of or damage to apparatus or equipment or supplies and shall bear and pay the expense incurred in the operation and maintenance of any apparatus or equipment and the cost of materials and supplies used or consumed in rendering such aid and assistance, but such liability and responsibility shall not apply or extend to apparatus, equipment, materials and supplies owned or supplied by the state.

2. The state or assisting municipal corporation or fire district in such case shall be liable for salaries or other compensation to the assisting forces furnished during the time they shall not be performing their duties for the state or for the assisting municipal corporation or fire district and shall defray the actual traveling and maintenance expense of such assisting forces while they are rendering such aid and assistance, but the receiving municipal corporation or fire district shall reimburse the assisting municipal corporation or fire district for any moneys paid for such salaries or other compensation and traveling and maintenance expense. Any such claim for loss, damage, expense or cost shall not be allowed unless within sixty days after the same shall have been sustained or incurred a written notice of such claim, under oath, itemizing such loss, damage, expense or cost, is served by mail or otherwise upon the comptroller or chief fiscal officer of such receiving municipal corporation or fire district. An assisting municipal corporation or fire district may assume any such loss, damage, expense or cost or loan such equipment and apparatus or donate such services to the receiving municipal corporation or fire district without charge or cost.

3. A county, city, town, village or fire district shall be liable for all payments to be made to or on behalf of injured volunteer firefighters or to representatives of deceased volunteer firefighters

pursuant to and in accordance with the provisions of the volunteer firefighters' benefit law. The amount so paid by a town shall be assessed in the manner provided in such law.

4. Neither the state nor the civil or political subdivision of the state whose police or fire forces or employees are engaged in rendering such outside aid and assistance pursuant to any request for aid and assistance or pursuant to direction of the governor or other official or agency authorized by, or pursuant to law so to direct shall be liable or accountable in any way or on account of any act or omission on the part of any officer or member of such forces or of any such employee while so engaged or for or on account of the operation, maintenance or use of any apparatus, equipment, materials or supplies in connection therewith, nor shall any sheriff be held liable or accountable in any way for or on account of any act or omission on the part of any of his or her deputies within or without the county of their appointment where such deputies are under the command of an officer other than himself or herself.

5. Notwithstanding any inconsistent provision of law, general, special or local, (a) any county whose sheriff, or in the county of Nassau the county executive, declared a state of special emergency within his or her county pursuant to section two hundred nine-f of this article, which resulted in men or women and/or equipment being furnished by the sheriff of another county for use in the county of the sheriff, or in the county of Nassau the county executive, declaring the state of emergency, shall be liable and responsible to the county of the assisting sheriff for salaries or other compensation paid or due the persons comprising the assisting forces during the time they were engaged in performing services in the county of the requesting sheriff, or in the county of Nassau the county executive, and for all loss or damage to apparatus, equipment and supplies used or consumed by the persons comprising such assisting forces in rendering aid and assistance in the county of the requesting sheriff, or in the county of Nassau the county executive, provided an itemized claim therefor is submitted in writing to the chief fiscal officer of the county of the requesting sheriff, or in the county of Nassau the county executive, within sixty days after the termination of such an emergency. An assisting county may, however, assume any such

cost, loss or damage, and all payments made or to be made to or on behalf of such persons comprising such assisting forces or to representatives of deceased persons who comprised such assisting forces pursuant to and in accordance with the provisions of any applicable law, rule or ordinance, including the workmen's compensation law which shall be deemed to be applicable. Neither the county whose sheriff responded with men and/or equipment to a request for assistance made by another sheriff who declared a state of special emergency, or in the county of Nassau the county executive, nor a responding sheriff or employee of the responding county, shall be liable or accountable in any way for any act or omission on the part of any person during the continuance of any such emergency, including but not restricted to the operation, maintenance or use of any apparatus, equipment or supplies in connection therewith, nor shall any sheriff be held liable or accountable in any way for or on account of any act or omission on the part of any of his or her deputies within or without the county of their appointment where such deputies are under the command of any person other than himself or herself, and (b) the city, town or village receiving police aid pursuant to section two hundred nine-f of this article shall assume the liability for all damages arising out of any act performed in rendering such aid and shall reimburse the assisting city, town, village, parkway police force, state park police force and/or county police department for any moneys paid by it for salaries or for other expenses incurred by it, including damage to or loss of equipment and supplies. An assisting city, town, village, parkway police force, state park police force and/or county police department may, however, assume in whole or in part any such cost, loss, damage or other cost or charge sustained or suffered by it which is applicable to its rendering such aid, by taking appropriate action to accomplish the same, and the county of the receiving city, town or village may, by appropriate action, elect to obligate itself to pay all or part of any money which such receiving municipality is obliged to pay arising out of and applicable to its having received such aid, and (c) a regular, part time or special deputy sheriff of a county shall not, for any reason, lose or forfeit any right, benefit or privilege which he or she would have had in the county of his or her residence by becoming and/or acting as an emergency special deputy sheriff of another county during an emergency.

6. The commissioner of the division of homeland security and emergency services, in consultation with the state fire administrator, may promulgate rules and regulations necessary to carry out the purpose and provisions of this section.