

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2523 Session of  
2022

---

INTRODUCED BY D. MILLER, MADDEN, GALLOWAY, HILL-EVANS,  
N. NELSON, FREEMAN, WELBY, D. WILLIAMS, SANCHEZ, McNEILL,  
DRISCOLL, LONGIETTI, GUENST, KIRKLAND, PISCIOTTANO, SCHMITT,  
ROZZI, DELLOSO, SCHLOSSBERG AND COVINGTON, MAY 2, 2022

---

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, MAY 2, 2022

---

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in grants to fire companies and  
3 emergency medical services companies, establishing the  
4 Firefighter Safety Equipment Grant Program in the Office of  
5 State Fire Commissioner and the Firefighter Safety Equipment  
6 Grant Fund.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Chapter 78 of Title 35 of the Pennsylvania  
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER F

12 FIREFIGHTER SAFETY EQUIPMENT GRANT PROGRAM

13 Sec.

14 7851. Definitions.

15 7852. Firefighter Safety Equipment Grant Program.

16 7853. Applications.

17 7854. Fire company eligibility.

18 7855. Reimbursements.

1 7856. Annual reports.

2 7857. Distribution of information.

3 7858. Appropriation.

4 § 7851. Definitions.

5 The following words and phrases when used in this subchapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Airport fire company." A fire company that does all of the  
9 following:

10 (1) Is associated with an airport.

11 (2) Has a mutual aid agreement with a neighboring  
12 municipality.

13 (3) Has responded to at least 15 fire or rescue  
14 emergency calls annually to neighboring fire companies as  
15 provided in documentation requested by the commissioner.

16 "Commissioner." The State Fire Commissioner.

17 "Eligible fire company." A fire company that is eligible  
18 under section 7854(b) (relating to fire company eligibility) to  
19 receive reimbursement from the fund.

20 "Fire company." A volunteer fire company, a municipal fire  
21 company or a combined volunteer and municipal fire company  
22 located in this Commonwealth. The term includes an airport fire  
23 company.

24 "Firefighter." A career firefighter or volunteer firefighter  
25 in good standing with a fire company who actively responded to  
26 at least 15 fire or rescue emergencies as determined by the  
27 firefighter's fire company during the previous calendar year.

28 "Fund." The Firefighter Safety Equipment Grant Fund  
29 established under section 7852(b) (relating to Firefighter  
30 Safety Equipment Grant Program).

1 "Municipality." A county, city, borough, incorporated town,  
2 township or home rule municipality.

3 "Office." The Office of the State Fire Commissioner.

4 "Personal protective gear." Firefighting equipment,  
5 including boots, pants, jacket, hood and helmet that meet  
6 occupational safety and health standards under 29 CFR  
7 1910.156(e) (relating to fire brigades) for fire response.

8 "Program." The Firefighter Safety Equipment Grant Program  
9 established under section 7852(a).

10 "Volunteer fire company." A nonprofit chartered corporation,  
11 association or organization located in this Commonwealth that  
12 provides fire protection or rescue services within this  
13 Commonwealth.

14 § 7852. Firefighter Safety Equipment Grant Program.

15 (a) Establishment.--The Firefighter Safety Equipment Grant  
16 Program is established within the office for the purposes of  
17 this subchapter.

18 (b) Firefighter Safety Equipment Grant Fund.--The  
19 Firefighter Safety Equipment Grant Fund is established as a  
20 special fund within the State Treasury. The fund shall consist  
21 of money appropriated or transferred to the fund by act of the  
22 General Assembly, in addition to any grants, gifts, donations or  
23 other payments from other sources. Money in the fund is  
24 appropriated on a continuing basis to the office for the  
25 purposes of subsection (c).

26 (c) Use.--Money in the fund shall be used for:

27 (1) Reimbursing eligible fire companies for costs  
28 incurred for personal protective gear or other protective  
29 equipment for firefighters.

30 (2) Administering the provisions of this subchapter.

1 § 7853. Applications.

2 (a) Notice.--The following shall apply:

3 (1) By September 8 of each year, the commissioner shall  
4 provide application forms and written instructions for  
5 reimbursements from the fund to:

6 (i) The fire chief and president of each volunteer  
7 fire company.

8 (ii) The chief executive of each municipality in  
9 which a municipal fire company is located.

10 (iii) The head of each combined volunteer and  
11 municipal fire company and each airport fire company.

12 (2) The application forms and written instructions for  
13 reimbursements from the fund shall be posted on the publicly  
14 accessible Internet website of the office.

15 (b) Contents.--An application for reimbursement from the  
16 fund must contain the following:

17 (1) The name, address, telephone number and other  
18 contact information of the fire company requesting  
19 reimbursement.

20 (2) The name of all firefighters to receive a  
21 reimbursement for personal protective gear or other  
22 protective equipment.

23 (3) Documentation reflecting the out-of-pocket costs  
24 borne by the fire company or the firefighter for personal  
25 protective gear or other protective equipment to be  
26 reimbursed, as well as any certification requirements  
27 otherwise prescribed.

28 (4) Any other information required by the office to  
29 assist in processing reimbursement from the fund.

30 (c) Completion.--The following shall apply:

1           (1) The period to submit applications for reimbursement  
2 from the fund shall remain open for 45 days each year.

3           (2) Completed applications for reimbursement from the  
4 fund shall be submitted to the office within the designated  
5 time frames and in the form and manner prescribed by the  
6 office.

7           (d) Determination.--Within 60 days of the application  
8 submission deadline each year, the commissioner shall act to  
9 approve or disapprove submitted applications for reimbursement  
10 from the fund. Applications that have not been approved or  
11 disapproved within 60 days after the close of the application  
12 period each year shall be deemed approved.

13 § 7854. Fire company eligibility.

14           (a) Mandate.--Reimbursement from the fund may only be made  
15 to an eligible fire company.

16           (b) Criteria.--To be considered an eligible fire company, a  
17 fire company must:

18           (1) Actively participate in the Pennsylvania Fire  
19 Information Reporting System (PennFIRS) under a signed  
20 agreement. The following apply:

21           (i) The commissioner shall develop guidelines  
22 specifying the criteria necessary to determine the level  
23 of participation in PennFIRS for fire companies to remain  
24 eligible for reimbursement from the fund.

25           (ii) The commissioner shall transmit notice of the  
26 guidelines under subparagraph (i) to the Legislative  
27 Reference Bureau for publication in the Pennsylvania  
28 Bulletin.

29           (2) Certify that a firefighter be in good standing with  
30 the fire company for at least the last 24 months to receive

1 reimbursement from the fund.

2 (3) Certify that a firefighter who obtained personal  
3 protective gear and for whom reimbursement is sought from the  
4 fund has received the minimum level of Firefighter 2 under  
5 the Pennsylvania State Fire Academy standards before the  
6 reimbursement application is made.

7 (4) Certify that a firefighter to receive reimbursement  
8 or for whom a fire company is receiving reimbursement:

9 (i) has not received reimbursement for gear under  
10 the program for the preceding five years; or

11 (ii) is replacing personal protective gear  
12 permanently taken out of service due to incident response  
13 or training exercise.

14 § 7855. Reimbursements.

15 (a) Retention of reimbursement.--If a fire company receives  
16 reimbursement for costs that were paid directly by the fire  
17 company on behalf of a firefighter, the fire company may retain  
18 the reimbursement.

19 (b) Distribution of reimbursement.--If a fire company  
20 receives reimbursement for costs that were paid directly by the  
21 firefighter, the fire company shall distribute the reimbursement  
22 to the firefighter as soon as practicable.

23 (c) Amount.--The amount of a reimbursement under subsection  
24 (a) shall be commensurate with the actual expenses incurred and  
25 shall not exceed \$4,500 per firefighter.

26 (d) Pro rata reimbursements.--Reimbursements shall be made  
27 on a pro rata basis if the total dollar amount of the approved  
28 applications exceeds the amount of money available in the fund  
29 to provide the reimbursements.

30 § 7856. Annual reports.

1 (a) Requirement.--No later than September 1 of each year,  
2 the office shall issue an annual report, which shall include all  
3 of the following information:

4 (1) The money in the fund at the beginning of the  
5 previous fiscal year and the balance in the fund at the end  
6 of the previous fiscal year.

7 (2) The number of reimbursement applications received by  
8 the office during the previous fiscal year.

9 (3) The number of reimbursements made during the  
10 previous fiscal year.

11 (4) The fire companies to which reimbursements were made  
12 during the previous fiscal year.

13 (5) The total dollar amount of reimbursements made  
14 during the previous fiscal year.

15 (b) Submittal.--Each report under this section shall be  
16 posted on the publicly accessible Internet website of the office  
17 and submitted to the following:

18 (1) The chairperson and minority chairperson of the  
19 Veterans Affairs and Emergency Preparedness Committee of the  
20 Senate.

21 (2) The chairperson and minority chairperson of the  
22 Veterans Affairs and Emergency Preparedness Committee of the  
23 House of Representatives.

24 § 7857. Distribution of information.

25 The office shall annually distribute information on the fund  
26 to all fire companies in this Commonwealth, including  
27 reimbursement procedures and eligibility criteria.

28 § 7858. Appropriation.

29 Money necessary to administer this chapter shall be provided  
30 by an annual appropriation by the General Assembly.

1 Section 2. This act shall take effect in 90 days.