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## **OLR Bill Analysis**

### **sHB 6841**

#### ***AN ACT CONCERNING FIREFIGHTER RECRUITMENT AND RETENTION.***

#### **SUMMARY**

This bill makes numerous changes designed to help recruit and retain people in firefighting and emergency medical services (EMS) careers. Principally, the bill:

1. establishes a 15-member Fire Service Youth Program Advisory Board to, among other things, develop a high school curriculum on the importance of public safety and community service, create a plan for public safety tracks at technical high schools, implement the tracks in one technical high school, and make it available to other schools (§ 1);
2. requires the Department of Emergency Services and Public Protection (DESPP) commissioner to appoint a firefighter recruitment and training coordinator in each emergency preparedness region to (a) recruit people for firefighting careers and (b) give training assistance to fire departments (§ 2);
3. requires the State Fire Administrator to develop facilities across the state where people can train for and take the firefighter physical ability test (§ 3);
4. requires DESPP to provide sufficient instructors and facilities at the state fire school to train at least three recruit classes per year (§ 4);
5. requires DESPP to pay fire service instructors doing fire service training at a rate that is comparable to that the Police Officer Standards and Training Council (POST) pays law enforcement

- officers doing police officer training (§ 4);
6. establishes a paramedic candidate scholarship program administered by the Department of Public Health (DPH) to give scholarships to people training to become licensed paramedics; and appropriates \$750,000 to DPH for FY 25 to fund these scholarships (§§ 5 & 18);
  7. bars fire departments from denying prospective firefighters employment based solely on their status as a lawful permanent resident noncitizen (§ 6);
  8. requires the Connecticut Housing Finance Authority (CHFA) to develop and administer a mortgage assistance program for uniformed members of paid or volunteer fire departments (§ 7);
  9. provides tuition waivers (a) at the state's colleges and universities for paid or volunteer firefighters with at least two years' service and the dependent children of paid or volunteer firefighters with at least five years' service and (b) for anyone enrolled the Connecticut State Colleges and Universities or community colleges that is attending the state fire school as part of a program offered in coordination with the college or university (§§ 8-10);
  10. requires the State Retirement Commission to establish a volunteer firefighter length of service award program (LOSAP) (§§ 11 & 12);
  11. requires the State Retirement Commission to develop a new tier within the Municipal Employees' Retirement System (MERS) for public safety professionals (§ 13);
  12. requires the Commission on Fire Prevention and Control to study the different firefighter training and certification levels and firefighter benefits and recommend changes to recruit and retain firefighters (§ 14);
  13. requires the DPH commissioner to establish a pilot program to

provide emergency services organizations with specified equipment and systems for detecting critical cardiac issues (§ 15);

14. appropriates \$500,000 to DESPP for FYs 24 and 25 to reduce the cost to trainees and fire departments for attending the state fire school (§ 16); and
15. appropriates \$500,000 to DESPP for FYs 24 and 25 to reduce the cost to trainees and fire departments for attending regional fire schools (§ 17).

EFFECTIVE DATE: July 1, 2023, except the provisions on MERS and tiered firefighter classifications are effective upon passage.

### **§§ 1 & 3 — FIRE SERVICE YOUTH PROGRAM ADVISORY BOARD**

#### ***Membership***

Under the bill, the Fire Service Youth Program Advisory Board is comprised of the following members:

1. Office of State Fire Administrator's fire training director, who must serve as the board's chairperson;
2. education and labor commissioners or their designees;
3. Office of Workforce Strategy's chief workforce officer or designee;
4. DPH's Office of Emergency Medical Services director or designee;
5. Technical Education and Career System's executive director or designee;
6. two members appointed by the House speaker, including one fire service expert;
7. two members appointed by the Senate president pro tempore, including one occupational safety expert;
8. one member appointed by the House majority leader with

expertise in firefighter or EMS-related legal issues;

9. one member appointed by the Senate majority leader with expertise in firefighter or EMS-related public health matters; and
10. one member appointed by each of the House and Senate minority leaders and governor.

The board is within the Office of State Fire Administrator for administrative purposes only.

***Duties***

The bill requires the board to do the following:

1. advise the Commission on Fire Prevention and Control;
2. develop a (a) standard curriculum for grades nine through 12 on the importance of public safety and community service and (b) plan for technical high schools to offer public safety tracks, including firefighting and EMS tracks and certifications;
3. introduce this curriculum and implement these tracks as a pilot program in one technical high school by July 1, 2025, make them available to other technical and other high schools, and coordinate state funding to the schools to provide the curriculum and tracks;
4. establish a fire service instructor training program for technical and other high schools;
5. support fire departments, fire districts, and other nonprofit entities providing or seeking to provide cadet or explorer programs; and
6. expand and implement the United States Fire Administration's fire service apprenticeship program's components.

***Payments to High Schools, Fire Departments, and Other Entities***

Starting in FY 24, the bill requires the board to pay \$5,000 to each (1)

technical or other high school operating the board's public safety tracks curriculum or planning to do so in the following fiscal year and (2) fire department, fire district, or nonprofit operating a cadet or explorer program or planning to do so in the following fiscal year.

**Office of State Fire Administrator Coordinating Staff**

The bill requires the Office of State Fire Administrator to employ a full-time youth program coordinator to (1) oversee curriculum and public safety track programs developed by the board, (2) implement state standards and a best practices guide for the programs, (3) ensure their consistency and continuity, and (4) oversee program instructor hiring and training.

It similarly requires the office to employ a full-time cadet or explorer program coordinator to (1) oversee cadet or explorer programs, (2) implement state standards and a best practices guide for the programs, (3) encourage their establishment and expansion throughout the state, and (4) encourage the expanded use of regional fire training schools for these programs.

**§ 2 — FIREFIGHTER RECRUITMENT AND TRAINING COORDINATORS**

The bill requires the DESPP commissioner to appoint a firefighter recruitment and training coordinator in each of the state's emergency preparedness regions. These coordinators must (1) recruit people for careers in firefighting or manage firefighter recruitment programs, (2) give training assistance to fire departments, and (3) coordinate or conduct training programs for fire departments that request this assistance.

**§ 3 — STATE FACILITIES FOR FIREFIGHTER TRAINING AND TESTS**

The bill requires the State Fire Administrator to (1) develop facilities across the state where people may train for and take the candidate physical ability test for firefighters year-round or (2) contract with a vendor to do so. He must:

1. seek to develop these facilities at multiple locations, with

preference given to regional fire school sites, to improve training and test taking opportunities and access; and

2. provide training and test taking equipment to any participating regional fire school or state facility.

The bill requires the fire training director to coordinate the training and oversee the training and testing facilities.

#### **§ 4 — STATE FIRE SCHOOL INSTRUCTORS AND FACILITIES**

The bill requires DESPP to:

1. provide state fire school instructors and facilities sufficient to conduct training for at least three recruit classes per year and
2. compensate fire service instructors at a rate comparable to that of POST's law enforcement instructors for police officer training.

#### **§§ 5 & 18 — PARAMEDIC CANDIDATE SCHOLARSHIP PROGRAM**

The bill establishes a paramedic candidate scholarship program, administered by DPH, to give scholarships to people training to become licensed paramedics. Under the bill, DPH must:

1. by January 1, 2024, develop a policy on the program's administration, including (a) its eligibility criteria and (b) how scholarships are paid and distributed; and
2. beginning with FY 25, award scholarships according to this policy and the bill.

The bill authorizes DPH to accept public or private gifts, grants, and donations to fund the program. Additionally, for FY 25, it appropriates \$750,000 to DPH from the General Fund for these scholarships.

#### **§ 6 — RESIDENCY STATUS OF PROSPECTIVE FIREFIGHTERS**

The bill prohibits fire departments from denying a prospective firefighter employment based solely on his or her status as a lawful permanent resident noncitizen.

## **§ 7 — MORTGAGE ASSISTANCE PROGRAM FOR PAID OR VOLUNTEER FIREFIGHTERS**

The bill requires CHFA to develop and administer a mortgage assistance program for uniformed members of paid or volunteer fire departments in the state purchasing a home in the community they serve as their principal residence. In giving this assistance, CHFA must (1) use down payment assistance or any other appropriate housing subsidies and (2) allow the mortgagee to realize a reasonable portion of the property's equity gain when it is sold.

## **§§ 8-10 — TUITION WAIVERS**

The bill requires UConn, the Connecticut State Colleges and Universities (CSCU), and regional community-technical colleges to waive tuition for the following students:

1. uniformed members of paid or volunteer fire departments who have served for at least two years in the state, as documented by their department chief; and
2. dependent children of uniformed members of paid or volunteer fire departments who have served for at least five years in the state, as documented by the department's chief.

The bill also requires CSCU and the regional community-technical colleges to waive tuition for students attending the state fire school who are enrolled in a program offered together with a community college or state university that accredits courses in the program.

## **§§ 11 & 12 — VOLUNTEER FIREFIGHTER LENGTH OF SERVICE AWARD PROGRAM**

### ***Overview***

The bill requires the State Retirement Commission to establish a volunteer firefighter LOSAP for eligible volunteer firefighters providing qualified services to a volunteer fire company or department in recognition of their long-term service. The program provides length of service awards of up to a specified amount (\$6,000, annually adjusted for inflation) for each year of service credit. The benefits vest after a participant has five years of service credit.

The State Retirement Commission must establish the program and adopt its implementing regulations in consultation with the Commission on Fire Prevention and Control and State Fire Administrator. The State Retirement Commission may contract with third parties to deliver program services.

The bill establishes a new trust fund, the Volunteer Firefighter LOSAP Trust Fund, which must be used to make the length of service award payments and pay the program's administrative expenses.

***Regulations***

By January 1, 2024, the State Retirement Commission, in consultation with the Commission on Fire Prevention and Control and State Fire Administrator, must adopt regulations to implement the program. The regulations must include provisions on the following:

1. earning service credits and determining award amounts, which may include a point-based system that requires that members earn points for responding to calls, attending meetings and trainings, and other factors;
2. documenting these earned credits, including a system allowing volunteer fire companies and departments to annually report members' service credits; and
3. contesting service credit determinations awarded to participants.

***Volunteer Firefighter LOSAP Trust Fund***

The bill establishes the Volunteer Firefighter LOSAP Trust Fund as a separate, nonlapsing fund that must contain any money the law requires and be held separately from other moneys, funds, and accounts. It authorizes the fund to hold all deposits, gifts, grants, and donations from public or private sources, to allow it to carry out its purposes. The investment earnings credited to the fund's assets become part of the fund and any balance remaining at the end of any fiscal year is carried forward to the next year.

It extends to the fund the same oversight and investment



requirements set by state law for other state trust funds, including the Teachers' Pension Fund, the State Employees Retirement Fund, and the Connecticut Municipal Employees' Retirement Fund.

***Annual Reporting of Members' Service Credits***

Beginning by January 1, 2024, and annually afterwards, each volunteer fire company or department must submit to the State Retirement Commission (1) a list of eligible firefighters and (2) the amount of service credit each one earned with the department. They must do so as the commission prescribes.

***Eligible Firefighters***

***Bona Fide Volunteers and Qualified Service.*** By April 1, 2024, and annually afterwards, the commissioner must determine which eligible firefighters satisfy the service credit requirements set by the program's regulations and the amount of credits applicable to each participant. An "eligible firefighter" is a firefighter who is:

1. a "bona fide volunteer" performing "qualified service" in a volunteer fire company or department and
2. not otherwise earning credit for his or her qualified service in another other LOSAP, municipal pension system, or other comparable program.

Under the bill, a "bona fide volunteer" is one who does not receive compensation for providing firefighting and prevention services, EMS, or ambulance services (i.e., "qualified service") except for the reimbursement of reasonable expenses incurred while performing these services, reasonable benefits, and nominal fees for the services. The bill's definitions of "bona fide volunteer" and "qualified service" are tied to the federal rules for length of service award plans. Under federal law, a plan paying only length of service awards to bona fide volunteers or their beneficiaries is exempt from the rules and tax treatment for deferred compensation plan under the Internal Revenue Code (26 U.S.C. 457(e)).

***Eligible Service.*** Participants must receive service credit for their

service as an eligible firefighter before, on, and after July 1, 2023. Their service credits may not be forfeited.

**Participation Waivers.** Eligible firefighters may decline to participate in the program by filing an irrevocable participation waiver. The waiver must be signed by the firefighter and his or her volunteer fire company's or department's chief. The firefighter must file this waiver before he or she satisfies the service credit requirements to participate in the program.

***Length of Service Awards Credited to Program Accounts***

By July 1, 2024, and annually afterwards, the commission must determine which participants qualify for a length of service award based on the regulations' service credit requirements and credit their program accounts in an amount set by the regulations. Under the bill, the "program account" is a separate account maintained for each participant that reflects the applicable contributions and forfeitures, investment income or loss, and administrative and investment expenses allocated to each participant and paid from the trust fund.

The award may not exceed the limit established under federal law's special rules for length of service award plans. (The inflation-adjusted limit is \$7,000 for 2023.)

***Vesting***

A participant's accrued service award (i.e., the total value of his or her program account as of a given date) becomes vested once he or she has five years of service credit, as determined under the regulations. If he or she has not been an eligible firefighter for 36 consecutive months and their accrued service award has not become vested, his or her accrued service award is forfeited and deposited in the trust fund.

***Payment of Accrued Service Awards***

The commission must pay a participant his or her accrued service awards when the participant:

1. becomes vested and reaches the age of 65 or over;

2. has 20 years of service credit, except as described below;
3. is vested and has not been an eligible firefighter for at least 36 consecutive months; or
4. has been determined to be totally and permanently disabled by the U.S. Social Security Administration, the Workers' Compensation Commission, or any other entity the State Retirement Commission approves.

Under the bill, a participant may file a written election with the State Retirement commission before reaching 20 years of service credit to defer payment until he or she reaches age 65.

If a participant is paid his or her accrued service award and then qualifies for a length of service award at any other time under the bill's provisions and program regulations, the commission may pay his or her service award directly to the participant.

### ***Death Benefits***

Under the bill, if a participant dies before receiving his or her accrued service award or length of service award, the commission must pay it to the participant's designated beneficiary. Participants must designate their beneficiaries on a commission-prescribed form.

## **§§ 13 & 14 — NEW TIER OR CLASSIFICATION FOR PUBLIC SAFETY PROFESSIONALS UNDER MERS**

### ***New Tier or Classification***

The bill requires the State Retirement Commission to develop a new tier or classification within MERS for public safety professionals. This tier or classification must do the following:

1. take into consideration the tiered classifications developed by the Commission on Fire Prevention and Control (as described below) and
2. allow someone employed as a firefighter to retire from the job with one municipality and accept a firefighter job with another

participating municipality and be eligible for retirement benefits with the second municipality.

In developing this new tier or classification, the commission may consult with the Commission on Fire Prevention Control, the State Fire Administrator, and any other entities it deems appropriate. By January 1, 2024, it must report to the Public Safety and Security Committee on (1) the terms and benefits that apply to the tier or classification and (2) any necessary implementing legislation.

***Commission on Fire Prevention and Control Study***

The bill requires the Commission on Fire Prevention and Control to (1) study the different levels of training and certification and available benefits for firefighters and (2) recommend benefits to recruit and retain firefighters. It must report its findings to the Public Safety and Security Committee by January 1, 2024.

The study must do the following:

1. develop a tiered firefighter classification based on the factors it deems relevant, which may include one or more classifications for firefighter trainees, including firefighter certification and training level, years of experience, and responsibilities (i.e., supervisory, executive support, or administrative responsibilities and employed or volunteer status);
2. (a) identify existing firefighter benefits, including the bill's volunteer firefighter LOSAP (see § 11) and retirement tier developed by the State Retirement Commission (see § 13), (b) propose changes to them, and (c) identify new ones that could encourage employed and volunteer firefighter recruitment and retention;
3. for these benefits, consider as an eligibility factor whether the firefighter (a) follows the National Fire Protection Association's standard 1582 (i.e., the standard outlining an occupational medical program to reduce risks and provide for firefighters' health, safety, and effectiveness) and (b) does not use tobacco

products; and

4. consider basing eligibility for these benefits on a firefighter's inclusion in a specific classification tier to encourage firefighter recruitment and retention.

#### **§ 15 — DPH PILOT PROGRAM FOR CARDIAC ARREST DETECTION EQUIPMENT AND SYSTEMS**

The bill requires DPH to establish a pilot program to provide emergency services organizations with (1) equipment that can identify people at a high cardiac arrest risk, (2) an early detection system that can identify people at a low cardiac arrest risk before they experience critical cardiac issues, or (3) both. Under the bill, "emergency services organizations" are state and local police departments; paid or volunteer fire departments; municipal constabularies; ambulance companies; and public, private, or volunteer organizations that provide emergency transportation or treatment to patients. By October 1, 2023, DPH must (1) post the program's description on its website (in a conspicuous place), including its eligibility criteria and application process; and (2) notify each emergency service organization about the opportunity to apply.

By January 1, 2025, the DPH commissioner must report to the Public Safety and Security Committee on the pilot program's results and recommend whether to continue or expand it.

#### **§§ 16 & 17 — APPROPRIATIONS FOR REDUCING FIRE SCHOOL TRAINEE COSTS**

The bill appropriates \$500,000 in each year of the FY 24-25 biennium to DESPP from the General Fund to reduce the cost of attending the state fire school for trainees and fire departments. Under the bill, these funds are in addition to any reimbursement the state provides for Firefighter 1 certification and recruit training from the state fire school training and education extension account.

The bill appropriates an additional \$500,000 in each year of the FY 24-25 biennium to DESPP from the General Fund to reduce the cost of attending regional fire schools.

**BACKGROUND**

***Related Bill***

sHB 6838, favorably reported by the Public Safety and Security Committee, (1) eliminates the Office of State Fire Administration and creates a Division of Fire Services Administration within DESPP as a successor agency; (2) transfers the State Fire Administrator’s current duties to a deputy commissioner and expands them; and (3) appropriates \$250,000 for DESPP to study issues facing the state’s fire service and develop a strategic master plan to address those issues.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 2 (03/16/2023)