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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. 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 (§ 1),
2. requires the state fire administrator to develop facilities across the state where people can train for and take the firefighter physical ability test (§ 2),
3. requires the state fire administrator to employ a full-time cadet or explorer program coordinator (§ 2),
4. requires DESPP to (a) provide state fire school instructors and facilities sufficient to train at least three recruit classes per year and (b) pay fire service instructors doing fire service training at a rate that is comparable to what the Police Officer Standards and Training Council pays law enforcement officers doing police officer training (§ 3),
5. establishes a Department of Public Health (DPH)-administered paramedic candidate scholarship program to give scholarships to people training to become licensed paramedics (§ 4),
6. bars fire departments from denying prospective firefighters

employment based solely on their status as a lawful permanent resident noncitizen (§ 5),

7. requires the Connecticut Housing Finance Authority (CHFA) to develop and administer a mortgage assistance program for uniformed members of paid or volunteer fire departments (§ 6),
8. 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 at the Connecticut State Colleges and Universities or community colleges who is attending the state fire school as part of a program offered in coordination with the college or university (§§ 7-9),
9. requires the State Retirement Commission to establish a volunteer firefighter length of service award program (LOSAP) (§§ 10 & 11),
10. requires the State Retirement Commission to develop a new tier within the Municipal Employees' Retirement System (MERS) for public safety professionals (§ 12),
11. 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 (§ 13), and
12. requires the DPH commissioner to establish a pilot program to provide emergency services organizations with specified equipment and systems for detecting critical cardiac issues (§ 14).

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

## **§ 1 — 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.

## **§ 2 — 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.

## **§ 2 — CADET OR EXPLORER PROGRAM COORDINATOR**

The bill requires the Office of State Fire Administrator to hire 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 them.

## **§ 4 — 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.

#### **§ 6 — 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 who are buying a home as their principal residence in the community where they serve. In doing so, 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.

#### **§§ 7-9 — 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.

#### **§§ 10 & 11 — 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 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 that state law sets 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, each volunteer fire company or department must annually 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.*** Starting by April 1, 2024, the commission must annually 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 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***

Starting by July 1, 2024, the commission must annually 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 award 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. is totally and permanently disabled as determined 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 must 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.

**§§ 12 & 13 — 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. The commission 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 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 § 10) and retirement tier developed by the State Retirement Commission (see § 12); (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.

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

The bill requires DPH to establish a pilot program to give emergency services organizations (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.

#### **BACKGROUND**

##### ***Legislative History***

The House referred the bill (File 370) to the Education Committee, which reported a substitute that removed provisions (1) creating a Fire Service Youth Program Advisory Board to, among other things, develop a high school curriculum on the importance of public safety and community service and (2) on hiring an associated youth program coordinator.

The House then referred the bill (File 663) to the Appropriations Committee, which reported a substitute that removed provisions appropriating (1) \$750,000 to DPH for FY 25 to fund the bill's paramedic candidate scholarship program and (2) \$1 million to DESPP for FYs 24 and 25 to reduce the cost of attending the state and regional fire schools.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 2 (03/16/2023)

Education Committee

Joint Favorable Substitute

Yea 41 Nay 1 (04/18/2023)

Appropriations Committee

Joint Favorable Substitute

Yea 46 Nay 7 (05/08/2023)