

24105452D

SENATE BILL NO. 648

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws and Technology  
on January 24, 2024)

(Patron Prior to Substitute—Senator Perry)

A BILL to amend the Code of Virginia by adding in Chapter 2 of Title 9.1 a section numbered 9.1-208.2, relating to Virginia Firefighting Personnel and Equipment Grant Program.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 9.1 a section numbered 9.1-208.2 as follows:

§ 9.1-208.2. Virginia Fire Personnel and Equipment Grant Program.

A. The Virginia Fire Personnel and Equipment Grant Program (the Program) is hereby established to award grants to localities on a competitive basis from such funds as may be available for the purposes described in subsections B and C. Grants shall be awarded in an amount to be established in the appropriation act, and the Program shall be administered by the Department. For purposes of this section, "Department" means the Department of Fire Programs.

B. 1. a. The Department shall make grants to localities on a competitive basis for the purpose of increasing the number of firefighters to help communities meet required standards and to ensure adequate protection from fire and fire-related hazards. Such grants shall be made for up to three years and shall be used by localities for programs to (i) hire new, additional full-time firefighters; (ii) convert part-time or volunteer firefighters to full-time firefighters; or (iii) recruit and retain volunteer firefighters.

b. The portion of the cost of hiring a firefighter, including salary and benefits, that may be covered by the grants authorized by this subsection shall not exceed: (i) 75 percent in the first or second year of the grant and (ii) 35 percent in the third year of the grant.

c. No less than 20 percent of funds allocated to the Program for purposes of this subsection shall be used each year to provide grants to departments with majority volunteer or all volunteer personnel.

2. In addition to the requirements described in subsection D, the Department shall require each application for a grant under this subsection to (i) include an explanation of the applicant's inability to address the need for funding without assistance from the Commonwealth and (ii) describe the locality's plan to retain firefighters following the conclusion of support from the grant provided by this subsection.

3. Any grants awarded pursuant to this subsection shall not be used to supplant any funds currently provided by the Commonwealth or by the locality prior to the receipt of a grant and shall be used to increase the total amount of funds available for the provision of firefighting services. Additionally, no grant shall be made to any locality whose annual expenditures for firefighting services at the time of the application have been reduced below 80 percent of the average level of funding provided by the locality for firefighting services in the three fiscal years prior to the date of the application for a grant.

4. The Department may waive the requirements of subdivision 1 b or 3 in the case of demonstrated economic hardship for the locality. Instances of demonstrated economic hardship shall be determined by the Department, taking into consideration whether the locality is distressed or double distressed, as those terms are defined in § 58.1-322.02, and the demonstrated need for funding described by the locality as part of its application pursuant to clause (i) of subdivision 2. The Department shall develop guidelines and criteria for evaluating waiver claims pursuant to this subdivision.

5. If the Department determines that a grant recipient is not in substantial compliance with the terms and requirements of a grant provided under this subsection, the Department may revoke or suspend funding of such grant, in whole or in part, or require repayment of grant funds.

C. 1. The Department shall make grants to localities on a competitive basis for the purpose of improving their firefighting and emergency medical services as described in this subsection. Each locality receiving a grant shall use the grant for one or more of the following purposes:

a. Acquiring firefighting and emergency medical services vehicles, including fire trucks, ambulances, and other apparatus;

b. Acquiring firefighting and emergency medical services equipment, including personal protective equipment; stretchers or other medical equipment; communications, monitoring, or disaster response equipment; and foam for fighting fires in areas without access to water; or

c. Modifying fire stations, fire training facilities, emergency medical services facilities, and other facilities to protect the health and safety of firefighting and emergency medical services personnel.

2. In addition to the requirements described in subsection D, the Department shall require each application for a grant under this subsection to (i) include an explanation of the applicant's inability to address the need for funding without assistance from the Commonwealth and (ii) describe the locality's

60 *plan to maintain its level of services following the conclusion of support from the grant provided by this*  
61 *subsection.*

62 *3. In considering applications for grants under this subsection, the Department shall examine:*

63 *a. The extent to which the grant would enhance the daily operations of the applicant and the impact*  
64 *of such a grant on the protection of lives and property; and*

65 *b. Factors important to the applicant's ability to respond to fires and related hazards, including*  
66 *population served; geographic response area; hazard vulnerability; call volume; economic conditions of*  
67 *the area served; and the need for apparatus or equipment.*

68 *4. Any grants awarded pursuant to this subsection shall not be used to supplant any funds currently*  
69 *provided by the Commonwealth or by the locality prior to receipt of a grant and shall be used to*  
70 *increase the total amount of funds available for the provision of firefighting or emergency medical*  
71 *services. Additionally, no grant shall be made to any locality whose annual expenditures for firefighting*  
72 *or emergency medical services at the time of the application have been reduced below 80 percent of the*  
73 *average level of funding provided by the locality for firefighting and emergency medical services in the*  
74 *three fiscal years prior to the date of the application for a grant.*

75 *5. The Department may waive the requirements of subdivision 4 in the case of demonstrated*  
76 *economic hardship for the locality. Instances of demonstrated economic hardship shall be determined by*  
77 *the Department, taking into consideration whether the locality is distressed or double distressed, as*  
78 *those terms are defined in § 58.1-322.02, and the demonstrated need for funding described by the*  
79 *locality as part of its application pursuant to clause (i) of subdivision 2. The Department shall develop*  
80 *guidelines and criteria for evaluating waiver claims pursuant to this subdivision.*

81 *6. No locality shall receive a grant pursuant to this subsection unless the locality provides matching*  
82 *funds from local sources of revenue equal to at least 15 percent of the value of the grant to carry out*  
83 *grant activities.*

84 *7. If the Department determines that a grant recipient is not in substantial compliance with the terms*  
85 *and requirements of a grant provided under this subsection, the Department may revoke or suspend*  
86 *funding of such grant, in whole or in part, or require repayment of grant funds.*

87 *D. In administering the Program, the Department shall establish and publish guidelines and criteria*  
88 *for grant awards, including guidelines and criteria governing agreements between the Department and*  
89 *grant recipients relating to the use of grant funds. The Department shall also develop and implement a*  
90 *performance assessment system, including quantifiable performance metrics, to evaluate the effectiveness*  
91 *of grants in accomplishing the purposes described in this section.*

92 *E. The Department shall report annually, beginning November 1, 2025, to the Governor and the*  
93 *General Assembly information regarding a list of grants, the amount of each approved grant,*  
94 *information on the performance assessment system described in subsection D, an evaluation of each*  
95 *grant based on such system, and any other criteria deemed relevant by the Department.*