

# STATE OF NEW YORK

8605

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. MORINELLO -- read once and referred to the  
Committee on Local Governments

AN ACT to amend chapter 19 of the laws of 1985 creating the Volunteer  
and Exempt Firemen's Benevolent Association of Upper Mountain, Inc.,  
and providing for its powers and duties, in relation to its purpose  
and the use of foreign fire insurance premium taxes

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Sections 3 and 7 of chapter 19 of the laws of 1985 creating  
2 the Volunteer and Exempt Firemen's Benevolent Association of Upper Moun-  
3 tain, Inc., and providing for its powers and duties are amended to read  
4 as follows:

5 § 3. Purposes. The purposes of such corporation shall be the mainte-  
6 nance of suitable headquarters for, and the promotion of friendly asso-  
7 ciation for the betterment of the members of such corporation and their  
8 relations with the community, for the promotion of fraternal intercourse  
9 among the members of such corporation, to study and disseminate among  
10 the members of such corporation the most efficient manner of fighting  
11 fires, the relief, aid and assistance of such members and their families  
12 who are injured, disabled or indigent, to promote and safeguard the  
13 welfare of the volunteer members of the corporation, and their families;  
14 to provide for the health and safety of the volunteer members of the  
15 corporation; and to enhance the morale of the volunteer members of the  
16 corporation by providing social and recreational activities for the  
17 volunteer members of the corporation, and to acquire real and personal  
18 property such as may be necessary for the purposes herein set forth and  
19 the promotion of the welfare of the volunteer fire service within the  
20 territory now served or which may hereafter be served by the Upper Moun-  
21 tain Volunteer Fire Company.

22 § 7. Precept for payment of foreign fire insurance premium taxes. Such  
23 corporation shall collect and there shall be paid to it all taxes  
24 imposed by section nine thousand one hundred four of the insurance law  
25 for fire department use and benefit upon premiums for insurance against  
26 loss or damage by fire covering property within the territory protected

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 by Upper Mountain Volunteer Fire Company within the town of Lewiston  
2 located in Niagara county, New York. The officers of said corporation  
3 designated by its by-laws to collect and receive the aforesaid tax shall  
4 have all the powers and be subject to all the provisions of the insur-  
5 ance law, relating to treasurers of fire departments. Such corporation  
6 shall also be entitled to receive a share of the tax distributed pursu-  
7 ant to the provisions of section nine thousand one hundred five of the  
8 insurance law, based upon the business written in the territory with  
9 respect to which it is entitled to collect and receive the tax under  
10 section nine thousand one hundred four of the insurance law. Such taxes  
11 shall only be used [~~for the care and relief of disabled or indigent~~  
12 ~~volunteer and exempt volunteer firemen and their families~~] by the corpo-  
13 ration in furtherance of its purposes as set forth in section three of  
14 this act.

15 § 2. This act shall take effect immediately and shall apply to taxes  
16 due on premiums received on and after January 1, 2022.