

STATE OF NEW YORK

6262

2023-2024 Regular Sessions

IN SENATE

April 10, 2023

Introduced by Sen. WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend chapter 493 of the laws of 1987 creating the Ocean Beach Volunteer and Exempt Firefighters' Benevolent Association, Incorporated 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 Assembly, do enact as follows:

1 Section 1. Sections 2, 3 and 7 of chapter 493 of the laws of 1987
2 creating the Ocean Beach Volunteer and Exempt Firefighters' Benevolent
3 Association, Incorporated and providing for its powers and duties, are
4 amended to read as follows:

5 § 2. Persons eligible to membership. All persons who are now or have
6 been, or hereafter shall be active volunteer members of the Ocean Beach
7 Volunteer Fire Department and who have heretofore acquired or shall
8 hereafter acquire the status of exempt volunteer firefighters as defined
9 in section two hundred of the general municipal law or any other appli-
10 cable law by virtue of having rendered service in said fire company in
11 the village of Ocean Beach, Suffolk county, and all persons who are now
12 or hereafter shall be active volunteer members of said fire department
13 shall be eligible for membership in the corporation hereby created;
14 provided that any person who has been expelled or removed for cause from
15 membership in any fire department or company shall not be eligible to
16 membership in such corporation. The membership of any person in such
17 corporation shall terminate when his membership as an active volunteer
18 member of the Ocean Beach Volunteer Fire Department shall terminate
19 before such persons shall have acquired the status of exempt volunteer
20 firefighters as defined in section two hundred of the general municipal
21 law by virtue of having rendered services to such fire department. Paid
22 firefighters, if any, of the Ocean Beach Volunteer Fire Department,
23 shall not be eligible for membership in the corporation.

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

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1 § 3. Purposes. [~~The purposes of such corporation shall be the mainte-~~
2 ~~nance of suitable headquarters for, and the promotion of friendly asso-~~
3 ~~ciation for the betterment of the members of such corporation and their~~
4 ~~relations with the community, for the promotion of fraternal intercourse~~
5 ~~among the members of such corporation, to study and disseminate among~~
6 ~~the members of such corporation the most efficient manner of fighting~~
7 ~~fires, the relief, aid and assistance of such members and their families~~
8 ~~who are disabled or indigent and to acquire real and personal property~~
9 ~~such as may be necessary for the purposes herein set forth and the~~
10 ~~promotion of the welfare of the volunteer fire service within the terri-~~
11 ~~tory now served or which may hereafter be served by the Ocean Beach~~
12 ~~Volunteer Fire Department.] The purposes of the corporation created by
13 this act shall be: to provide relief, aid and assistance to the volun-
14 teer members of such corporation who are disabled, indigent or injured
15 in the performance of their duties, and their families; to promote and
16 safeguard the welfare of the volunteer members of such corporation, and
17 their families; to maintain a suitable headquarters for the members of
18 such corporation; to provide for the health and safety of the volunteer
19 members of such corporation; and to enhance the morale of the volunteer
20 members of such corporation by providing social and recreational activ-
21 ities for the volunteer members of such corporation, and the promotion
22 of the volunteer fire service within the territory protected by the
23 Ocean Beach Volunteer Fire Department.~~

24 § 7. Precept for payment of foreign fire insurance premium taxes. Such
25 corporation shall collect and there shall be paid to it all taxes
26 imposed by section nine thousand one hundred four of the insurance law
27 for fire department use and benefit upon premiums for insurance against
28 loss or damage by fire covering property within the village of Ocean
29 Beach located in Suffolk county, New York. The officers of said corpo-
30 ration designated by its by-laws to collect, and receive the aforesaid
31 tax shall have all the powers and be subject to all the provisions of
32 the insurance law, relating to treasurers of fire departments. Such
33 corporation shall also be entitled to receive a share of the tax
34 distributed pursuant to the provisions of section nine thousand one
35 hundred five of the insurance law, based upon the business written in
36 the territory with respect to which it is entitled to collect and
37 receive the tax under section nine thousand one hundred four of the
38 insurance law. Such taxes shall only be used [~~for the care and relief of~~
39 ~~disabled or indigent volunteer and exempt volunteer firefighters and~~
40 ~~their families] by the corporation in furtherance of its purposes as set
41 forth in section three of this act.~~

42 § 2. This act shall take effect immediately; provided, however, that
43 the amendments to section 7 of chapter 493 of the laws of 1987 creating
44 the Ocean Beach Volunteer and Exempt Firefighters' Benevolent Associ-
45 ation, Incorporated and providing for its powers and duties made by
46 section one of this act shall apply to taxes due on premiums received on
47 and after January 1, 2024.