

STATE OF NEW YORK

8306--A

2025-2026 Regular Sessions

IN SENATE

May 30, 2025

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 978 of the laws of 1966 relating to incorporating the South Lockport Volunteer Firemen's Benevolent Association, and providing for its powers and duties, in relation to amendments to such association's charter

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

1 Section 1. Sections 1, 2, 3, 4 and 7 of chapter 978 of the laws of
2 1966 relating to incorporating the South Lockport Volunteer Firemen's
3 Benevolent Association, and providing for its powers and duties, are
4 amended to read as follows:

5 Section 1. Incorporation; membership. A [~~membership~~] not-for-profit
6 corporation by the name of "South Lockport Volunteer Exempt [~~Firemen's~~]
7 Firefighters' Benevolent Association" is hereby created. It shall be
8 composed of such persons eligible to membership therein as hereinafter
9 provided as shall (a) notify the secretary of the South Lockport Fire
10 Company, Incorporated in writing prior to the organization meeting of
11 such corporation hereinafter provided of their desire to become members,
12 or (b) shall attend such meeting or an adjournment thereof, and also
13 such persons so eligible as may become members of such corporation,
14 pursuant to its by-laws.

15 § 2. Persons eligible to membership. All persons who are now, or have
16 been, or who hereafter shall be volunteer members of the South Lockport
17 Fire Company, Incorporated, and all persons resident in the territory
18 provided with fire protection by contract with such fire company who are
19 exempt volunteer [~~firemen~~] firefighters as defined by section two
20 hundred of the general municipal law, shall be eligible to membership in
21 the corporation hereby created; provided that any person who has been

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

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1 expelled or removed for cause from membership in any fire company or
2 department shall not be eligible to membership in such corporation.
3 Whenever a member who is not an exempt [~~firemen~~ firefighter as defined
4 by section two hundred of the general municipal law shall move from such
5 territory in which fire protection is provided as aforesaid or if the
6 territory in which a member resides shall no longer be provided with
7 such fire protection, [~~his~~ their membership in such corporation shall
8 cease.

9 § 3. Purposes. The purposes of [~~such corporation shall be the mainte-~~
10 ~~nance of suitable headquarters for, and the promotion of fraternal~~
11 ~~intercourse among the members of such corporation, the relief, aid and~~
12 ~~assistance of such members' and their families who are disabled or indi-~~
13 ~~gent, and the promotion of the welfare of the volunteer fire service~~
14 ~~within the territory provided with fire protection by contract with such~~
15 ~~fire company]~~ the corporation created by this act shall be: to provide
16 relief, aid and assistance to the volunteer members of such corporation
17 who are indigent, disabled or injured in the performance of their
18 duties, and their families; to maintain a suitable headquarters for the
19 volunteer members of such corporation, and their families; to promote
20 and safeguard the welfare of the volunteer members of the corporation
21 and their families; to provide for the health and safety of the volun-
22 teer members of the corporation; to enhance the morale of the volunteer
23 members of the corporation by providing social and recreational activ-
24 ities for the volunteer members of the corporation; and to promote the
25 volunteer fire service within the territory protected by the South Lock-
26 port Fire Company, Incorporated.

27 § 4. Powers and duties. Such corporation shall have all of the powers
28 of a [~~membership~~ not-for-profit corporation, and the provisions of law
29 relating to [~~membership~~ not-for-profit corporations shall apply to such
30 corporation except where they conflict with the provisions of this act.
31 However, unless the written approval of the state board of social
32 welfare shall have first been obtained this corporation shall not estab-
33 lish and maintain any home or institution which, if separately incorpo-
34 rated, would require the approval of such board.

35 § 7. Precept for payment of foreign fire insurance premium taxes. a.
36 Such corporation shall collect and there shall be paid to it all taxes
37 imposed by section [~~five hundred fifty three~~ nine thousand one hundred
38 four of the insurance law for fire department use and benefit, upon
39 premiums for insurance against loss or damage by fire covering property
40 situated within the Town of Lockport Fire Protection District, Niagara
41 county, New York or within any duly organized territory in which the
42 South Lockport Fire Company, Incorporated is or may be obligated to
43 render fire protection pursuant to contract.

44 b. The officer of said corporation designated by its by-laws to
45 collect and receive the aforesaid tax shall have all the powers and be
46 subject to all the provisions of the insurance law, relating to treasur-
47 ers of fire departments.

48 c. Such corporation shall also be entitled to receive a share of the
49 tax imposed by section [~~five hundred fifty four~~ nine thousand one
50 hundred five of the insurance law, based upon the business written in
51 the territory with respect to which it is entitled to collect and
52 receive the tax under section [~~five hundred fifty three~~ nine thousand
53 one hundred four of the insurance law.

54 d. Such taxes shall only be used [~~for the care and relief of disabled~~
55 ~~or indigent volunteer and exempt volunteer firemen and their families]~~

1 by the corporation in furtherance of its purposes as set forth in
2 section three of this act.

3 § 2. This act shall take effect immediately; provided however, that
4 the amendments to section 7 of chapter 978 of the laws of 1966 made by
5 section one of this act shall apply to taxes due on premiums received on
6 and after January 1, 2026.