

# STATE OF NEW YORK

7432--B

R. R. 166

2019-2020 Regular Sessions

## IN ASSEMBLY

May 3, 2019

Introduced by M. of A. McMAHON, B. MILLER, D'URSO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading

AN ACT to amend chapter 635 of the laws of 1963 relating to incorporating the Snyder Volunteer Firemen's Benevolent Association, 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:

Section 1. Sections 1, 3 and 7 of chapter 635 of the laws of 1963 relating to incorporating the Snyder Volunteer Firemen's Benevolent Association, are amended to read as follows:

Section 1. Incorporation; membership. A membership corporation by the name of "Snyder Volunteer ~~Firemen's~~ Firefighter's Benevolent Association" is hereby created. It shall be composed of such persons eligible to membership therein as hereinafter provided as shall (a) notify the secretary of Snyder Fire Department, Incorporated in writing prior to the organization meeting of such corporation hereinafter provided for of their desire to become members, or (b) shall attend such meeting or an adjournment thereof, and also such persons so eligible as may become members of such corporation pursuant to its by-laws.

§ 3. Purposes. ~~[The purposes of such corporation shall be the promotion of fraternal intercourse among the members of such corporation, the relief, aid and assistance of such members and their families who are disabled or indigent, and the promotion of the welfare of the fire department service within the Snyder Fire District and territory provided with fire protection by contract with such fire district.]~~  
The purposes of the corporation created by this act are: to provide

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

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1 relief, aid and assistance to the volunteer members of such corporation  
2 who are indigent, disabled, or injured in the performance of their  
3 duties, and their families; to maintain a suitable headquarters for the  
4 volunteer members of such corporation; to promote and safeguard the  
5 welfare of the volunteer members of the corporation, and their families;  
6 to provide for the health and safety of the volunteer members of the  
7 corporation; and to enhance the morale of the volunteer members of the  
8 corporation by providing social and recreational activities for the  
9 volunteer members of the corporation, and the promotion of the volunteer  
10 fire service within the territory protected by such fire department of  
11 the Snyder Fire Department, Incorporated.

12 § 7. Precept for payment of foreign fire insurance premium taxes. Such  
13 corporation shall collect and there shall be paid to it all taxes  
14 imposed by [~~section five hundred fifty-three~~] section ninety-one hundred  
15 four of the insurance law, for fire department use and benefit, upon  
16 premiums for insurance against loss or damage by fire covering property  
17 situated within the territory protected by the Snyder Fire Department,  
18 Incorporated, located in the Town of Amherst, Erie County, New York, or  
19 within any duly organized territory in which the Snyder Fire Department,  
20 Incorporated is or may be obligated to render fire protection. The offi-  
21 cer of said corporation designated by its by-laws to collect and receive  
22 the aforesaid tax shall have all the powers and be subject to all the  
23 provisions of the insurance law, relating to treasurers of fire depart-  
24 ments. Such corporation shall also be entitled to receive a share of  
25 the tax imposed by [~~section five hundred fifty-four~~] section ninety-one  
26 hundred five of the insurance law, based upon the business written in  
27 the territory with respect to which it is entitled to collect and  
28 receive the tax under [~~section five hundred fifty-three~~] section nine-  
29 ty-one hundred four of the insurance law. [~~Such taxes shall only be used~~  
30 ~~for the care and relief of disabled or indigent volunteer and exempt~~  
31 ~~volunteer firemen and their families~~] Such taxes shall only be used by  
32 the corporation in furtherance of its purposes as set forth in section  
33 three of this act.

34 § 2. This act shall take effect immediately; provided however, that  
35 the amendments to section 7 of chapter 635 of the laws of 1963 relating  
36 to incorporating the Snyder Volunteer Firemen's Benevolent Association  
37 made by section one of this act shall apply to taxes due on premiums  
38 received on and after January 1, 2020.