

# STATE OF NEW YORK

6470

2021-2022 Regular Sessions

## IN SENATE

April 30, 2021

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

AN ACT to amend chapter 625 of the laws of 1961 relating to the Cleveland Hill Hose Company #6 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:

1 Section 1. Sections 1, 3 and 7 of chapter 625 of the laws of 1961  
2 relating to the Cleveland Hill Hose Company #6 Benevolent Association,  
3 sections 1 and 7 as amended by chapter 68 of the laws of 1979, are  
4 amended to read as follows:

5 § 1. Incorporation; membership. A membership corporation by the name  
6 of "Cleveland Hill Fire Department [~~#6 Volunteer Firemen's~~] No. 6 Fire-  
7 fighter's Benevolent Association" is hereby incorporated. It shall be  
8 composed of such persons eligible to membership therein as hereafter  
9 provided and shall (a) complete and present completed application to one  
10 of the officers or trustees indicating their desire to become a member,  
11 (b) become members of such corporation pursuant to its by-laws.

12 § 3. Purposes. The purposes of [~~such corporation shall be the mainte-~~  
13 ~~nance of suitable headquarters for the relief, aid and assistance to~~  
14 ~~disabled and indigent members pursuant to the corporation by laws~~] the  
15 corporation created by this act are: to provide relief, aid and assist-  
16 ance to the volunteer members of such corporation who are indigent,  
17 disabled or injured in the performance of their duties, and their fami-  
18 lies; to maintain a suitable headquarters for the members of such corpo-  
19 ration; to promote and safeguard the welfare of the volunteer members of  
20 the corporation, and their families; to provide for the health and safe-  
21 ty of the volunteer members of the corporation; and to enhance the  
22 morale of the volunteer members of the corporation by providing social  
23 and recreational activities for the volunteer members of the corpo-  
24 ration, and the promotion of the volunteer fire service within the

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

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1 territory protected by such fire department of the Cleveland Hill Fire  
2 Department No. 6, Inc.

3 § 7. Precept for payment of foreign fire insurance premium taxes.  
4 Such corporation shall collect and there shall be paid to it all taxes  
5 imposed by section [~~five hundred fifty-three~~] ninety-one hundred four of  
6 the insurance law, for fire department use and benefit upon premiums for  
7 insurance against loss or damage by fire covering property situated  
8 within the territory protected by the Cleveland Hill Fire [~~District #6~~]  
9 Department No. 6, Inc, located in the Town of Cheektowaga, Erie county,  
10 New York, or within any duly organized territory in which Cleveland Hill  
11 Fire [~~District #6~~] Department No. 6, Inc is or may be obligated to  
12 render fire protection. The officer of said corporation designated by  
13 its by-laws to collect and receive the aforesaid tax shall have all the  
14 powers and be subject to all the provisions of the insurance law, relat-  
15 ing to treasurers of fire departments. Such corporation shall also be  
16 entitled to receive a share of the tax imposed by section [~~five hundred~~  
17 ~~fifty-four~~] ninety-one hundred five of the insurance law, based upon the  
18 business written in the territory with respect to which it is entitled  
19 to collect and receive the tax under section [~~five hundred fifty-three~~]  
20 ninety-one hundred four of the insurance law. Such taxes shall only be  
21 used [~~for the care and relief of disabled or indigent volunteer and~~  
22 ~~exempt volunteer firemen, who are members of the corporation, such use~~  
23 ~~to be made pursuant to the corporation by-laws~~] by the corporation in  
24 furtherance of its purposes as set forth in section three of this act.

25 § 2. This act shall take effect immediately; provided however, that  
26 the amendments to section 7 of chapter 625 of the laws of 1961 relating  
27 to incorporating the Cleveland Hill Hose Company #6 Volunteer Firemen's  
28 Benevolent Association made by section one of this act shall apply to  
29 taxes due on premiums received on and after January 1, 2022.