STATE OF NEW YORK

6746--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 29, 2021

Introduced by M. of A. WALLACE -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

§ 3. Purposes. The purposes of [~~such corporation shall be the maintenance of suitable headquarters for the relief, aid and assistance to disabled and indigent members pursuant to the corporation by-laws~~] **the corporation created by this act are: to provide relief, aid and assistance to the volunteer members of such corporation who are indigent, disabled or injured in the performance of their duties, and their families; to maintain a suitable headquarters for the members of such corporation; to promote and safeguard the welfare of the volunteer members of the corporation, and their families; to provide for the health and safety of the volunteer members of the corporation; and to enhance the morale of the volunteer members of the corporation by providing social and recreational activities for the volunteer members of the corpo-**

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

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ration, and the promotion of the volunteer fire service within the territory protected by such fire department of the Cleveland Hill Fire Department No. 6, Inc.

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

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