# STATE OF NEW YORK

9255--A

# IN ASSEMBLY

February 9, 2022

Introduced by M. of A. LEMONDES -- 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 996 of the laws of 1965 relating to incorporating the Fairmount Volunteer Exempt Firemen's Benevolent Association 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:**

Section 1. Sections 1, 3 and 7 of chapter 996 of the laws of 1965 relating to incorporating the Fairmount Volunteer Exempt Firemen's Benevolent Association and providing for its powers and duties, sections 3 and 7 as amended by chapter 200 of the laws of 1977, are amended to read as follows:

Section 1. Incorporation; membership. A membership corporation by the name of "Fairmount Volunteer Exempt [~~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 the Fairmount Fire Department 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 who are eligible to become members of the corporation, pursuant to its by-laws.

§ 3. Purposes. The purposes of such corporation created by this act shall be [~~the maintenance of suitable headquarters for, and the promotion of fraternal intercourse among, the members of said 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 volunteer fire service within the Fairmount fire protection district, and territory provided with the fire protection by contract with such fire protection district~~]: 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 the corpo-

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

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ration; 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 corporation, and the promotion of the volunteer fire service within the territory protected by such fire department of the Fairmount Fire Department.

§ 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 Fairmount Fire Department, located in the Fairmount fire protection district, town of Camillus, Onondaga county, New York, or within any duly organized territory that the Fairmount Fire Department 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 taxes 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 and their families~~] 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 996 of the laws of 1965 made by section one of this act shall apply to taxes due on premiums received on and after January 1, 2023.