STATE OF NEW YORK

1297

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend chapter 598 of the laws of 1938 relating to incorporating the volunteer and exempt firemen's benevolent association of Briarcliff Manor, New York, and providing for its powers and duties, in relation to precept of payment of foreign fire insurance companies

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

Section 1. Subdivision 2 of section 1 and section 8 of chapter 598 of the laws of 1938 relating to incorporating the volunteer and exempt firemen's benevolent association of Briarcliff Manor, New York, and providing for its powers and duties, as amended by a chapter of the laws of 2020 amending chapter 598 of the laws of 1938 relating to changing the form of the benevolent from a corporation to an unincorporated association, as proposed in legislative bills numbers S.8531 and A.10313, are amended to read as follows:

2. All persons who now are or have been, or who hereafter shall be volunteer members of the village of Briarcliff Manor fire department, or of any fire engine, hook and ladder, patrol, emergency rescue squad or hose company in the village of Briarcliff Manor or in any fire district outside of but contiguous to such fire district which contracts with the village of Briarcliff Manor for fire protection pursuant to the law in such case made and provided, and all persons in any such fire district and in such village who are entitled to the general exemptions of firefighters therein as provided in section two hundred-a of the general municipal law, and two hundred nine of the village law, [~~and successor statutes~~] respectively, and acts amendatory thereof or supplemental thereto; or of any other applicable law, shall be eligible to membership therein.

§ 8. Precept of payment of foreign fire insurance companies. The association shall collect and there shall be paid to it all tax imposed

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

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by section [~~one hundred thirty-three~~] **nine thousand one hundred four** of the insurance law[~~, and successor statutes,~~] upon premiums on policies of insurance covering property situated within the village of Briarcliff Manor, Westchester county, New York, or within any duly organized territory in which the fire department of said fire district is obligated to render fire protection, except that the association shall remit such percentage of all taxes so collected or paid to it, to the treasurer of the firemen's association of the state of New York, as may be required by the insurance law. The officer of the association 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 section [~~one hundred thirty-three~~] **nine thousand one hundred four** of the insurance law [~~and successor statutes~~], relating to the treasurer of fire departments. The association shall also be entitled to receive a share of the tax imposed by section [~~one hundred forty-nine-a~~] **nine thousand one hundred five** of the insurance law, [~~and successor statutes,~~] based upon the business written in the territory with respect to which it is entitled to collect and receive the tax under section [~~one hundred thirty-three~~] **nine thousand one hundred four** of the insurance law [~~and successor statutes~~]. The association shall also be entitled to receive and collect all taxes heretofore due and owing and unpaid at the time of the creation of the association.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2020 amending chapter 598 of the laws of 1938 relating to changing the form of the benevolent from a corporation to an unincorporated association, as proposed in legislative bills numbers S.8531 and A.10313, takes effect.