

STATE OF NEW YORK

7318

2021-2022 Regular Sessions

IN SENATE

August 6, 2021

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

AN ACT to amend chapter 363 of the laws of 1982 relating to incorporation of the Volunteer and Exempt Firemen's Benevolent Association of Lewiston Fire Company No. 2, Inc., 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. Section 3 of chapter 363 of the laws of 1982 relating to
2 incorporation of the Volunteer and Exempt Firemen's Benevolent Associ-
3 ation of Lewiston Fire Company No. 2, Inc. is amended to read as
4 follows:

5 § 3. Purposes. The purposes of such corporation shall be the mainte-
6 nance of suitable headquarters for, and the promotion of friendly asso-
7 ciation for the betterment of the members of such corporation and their
8 relations with the community, for the promotion of fraternal intercourse
9 among the members of such corporation, to study and disseminate among
10 the members of such corporation the most efficient manner of fighting
11 fires, the relief, aid and assistance of such members and their families
12 who are injured, disabled or indigent, to promote and safeguard the
13 welfare of the volunteer members of the corporation, and their families;
14 to provide for the health and safety of the volunteer members of the
15 corporation; and to enhance the morale of the volunteer members of the
16 corporation by providing social and recreational activities for the
17 volunteer members of the corporation, and to acquire real and personal
18 property such as may be necessary for the purposes herein set forth and
19 the promotion of the welfare of the volunteer fire service within the
20 territory now served or which may hereafter be served by the fire
21 department of Lewiston Fire Company No. 2.

22 § 2. Section 7 of chapter 363 of the laws of 1982 relating to incorpo-
23 ration of the Volunteer and Exempt Firemen's Benevolent Association of

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

LBD11978-01-1

1 Lewiston Fire Company No. 2, Inc., as amended by chapter 21 of the laws
2 of 1985, is amended to read as follows:

3 § 7. Precept for payment of foreign fire insurance premium taxes. Such
4 corporation shall collect and there shall be paid to it all taxes
5 imposed by section nine thousand one hundred four of the insurance law
6 for fire department use and benefit upon premiums for insurance against
7 loss or damage by fire covering property within the territory protected
8 by Lewiston Fire Company No. 2, Inc. within the town of Lewiston Fire
9 Protection District located in Niagara county, New York. The officers of
10 said corporation designated by its by-laws to collect and receive the
11 aforesaid tax shall have all the powers and be subject to all the
12 provisions of the insurance law, relating to treasurers of fire depart-
13 ments. Such corporation shall also be entitled to receive a share of the
14 tax distributed pursuant to the provisions of section nine thousand one
15 hundred five of the insurance law, based upon the business written in
16 the territory with respect to which it is entitled to collect and
17 receive the tax under section nine thousand one hundred four of the
18 insurance law. Such taxes shall only be used [~~for the care and relief of~~
19 ~~disabled or indigent volunteer and exempt volunteer firemen and their~~
20 ~~families~~] by the corporation in furtherance of its purposes as set forth
21 in section three of this act.

22 § 3. This act shall take effect immediately and shall apply to taxes
23 due on premiums received on and after January 1, 2022.