

STATE OF NEW YORK

2311

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

Introduced by M. of A. MORINELLO -- read once and referred to the
Committee on Local Governments

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 Association
3 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 maintenance
6 of suitable headquarters for, and the promotion of friendly association
7 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 the promotion of the volunteer
18 fire service within the territory protected by such fire department of
19 the Volunteer and Exempt Firemen's Benevolent Association of Lewiston
20 Fire Company No. 2, Inc., and to acquire real and personal property such
21 as may be necessary for the purposes herein set forth and the promotion
22 of the welfare of the volunteer fire service within the territory now

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

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1 served or which may hereafter be served by the fire department of Lewi-
2 ston Fire Company No. 2.

3 § 2. Section 7 of chapter 363 of the laws of 1982 relating to incorpo-
4 ration of the Volunteer and Exempt Firemen's Benevolent Association of
5 Lewiston Fire Company No. 2, Inc., as amended by chapter 21 of the laws
6 of 1985, is amended to read as follows:

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

26 § 3. This act shall take effect immediately and shall apply to taxes
27 due on premiums received on and after January 1, 2024.