

STATE OF NEW YORK

8842

IN ASSEMBLY

January 18, 2024

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

AN ACT to amend chapter 624 of the laws of 1940 incorporating the volunteer and exempt firemen's benevolent association of Valhalla, New York, and providing for its powers and duties, in relation to the name and purpose of such association 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. Subdivisions 1 and 3 of section 1 of chapter 624 of the
2 laws of 1940 incorporating the volunteer and exempt firemen's benevolent
3 association of Valhalla, New York, and providing for its powers and
4 duties, are amended to read as follows:

5 1. A membership corporation by the name of "Volunteer and Exempt
6 [~~Firemen's~~ Firefighters' Benevolent Association of Valhalla, New York,"
7 is hereby created.

8 3. Nothing contained herein or in the village law or any other such
9 applicable law shall preclude a person from membership in such Volunteer
10 and Exempt [~~Firemen's~~ Firefighters' Benevolent Association of Valhalla,
11 New York, who resides in a fire district outside of but contiguous to
12 the Valhalla fire district, when the fire commissioners of such
13 districts have contracted with the board of fire commissioners of the
14 Valhalla fire district for fire protection under and pursuant to the
15 provisions of law in such case made and provided.

16 § 2. Sections 2 and 8 of chapter 624 of the laws of 1940 incorporating
17 the volunteer and exempt firemen's benevolent association of Valhalla,
18 New York, and providing for its powers and duties, are amended to read
19 as follows:

20 § 2. Purposes [~~and duty~~] of the association. The purposes [~~and duty of~~
21 ~~the association is to provide relief to indigent and disabled firemen~~
22 ~~and their families~~] of the association created by this act shall be: to
23 provide relief, aid and assistance to the volunteer members of such
24 corporation who are disabled, indigent or injured in the performance of
25 their duties, and their families; to promote and safeguard the welfare

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

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1 of the volunteer members of such corporation, and their families; to
 2 maintain a suitable headquarters for the members of such association; to
 3 provide for the health and safety of the volunteer members of such asso-
 4 ciation; and to enhance the morale of the volunteer members of such
 5 association by providing for the social and recreational wellbeing of
 6 the volunteer members of the association, including holding activities
 7 for the volunteer members of such association, and the promotion of the
 8 volunteer fire service within the territory protected by the volunteer
 9 members of the Valhalla fire department or of any fire engine, hook and
 10 ladder, patrol, emergency rescue squad or hose company in the Valhalla
 11 fire district.

12 § 8. Precept for payment of foreign fire insurance [~~companies~~] premium
 13 taxes. Such corporation shall collect and there shall be paid to it all
 14 tax imposed by section [~~one hundred thirty-three~~] 9104 of the insurance
 15 law upon premiums on policies of insurance covering property situated
 16 within the Valhalla Fire District of the Town of Mount Pleasant, West-
 17 chester county, New York, or within any duly organized territory in
 18 which the fire department of said district is obligated to render fire
 19 protection, except that said corporation shall remit such percentage of
 20 all taxes so collected or paid to it, to the treasurer of the [~~firemen's~~
 21 ~~association~~] Firefighters' Association of the [~~state~~] State of New York,
 22 as may be required by the insurance law. The officer of said corporation
 23 designated by its by-laws to collect and receive the aforesaid tax shall
 24 have all the powers and be subject to all the provisions of section [~~one~~
 25 ~~hundred thirty-three~~] 9104 of the insurance law, relating to treasurers
 26 of fire departments. Such corporation shall also be entitled to receive
 27 a share of the tax imposed by section [~~one hundred forty-nine-a~~] 9105 of
 28 the insurance law, based upon the business written in the territory with
 29 respect to which it is entitled to collect and receive the tax under
 30 section [~~one hundred thirty-three~~] 9105 of the insurance law. Such
 31 corporation shall also be entitled to receive and collect all taxes
 32 heretofore due and owing and unpaid at the time of the creation of this
 33 corporation. Such taxes shall be used only [~~for the care and relief of~~
 34 ~~disabled or indigent volunteer and exempt firemen and their families~~] by
 35 the corporation in furtherance of its purposes as set forth in section
 36 two of this act.

37 § 3. This act shall take effect immediately; provided however, that
 38 the amendments to section 8 of chapter 624 of the laws of 1940 made by
 39 section two of this act shall apply to taxes due on premiums received on
 40 and after January 1, 2024.