

STATE OF NEW YORK

1138

2023-2024 Regular Sessions

IN SENATE

January 10, 2023

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

AN ACT to amend chapter 658 of the laws of 1978 relating to incorporation of the Lewiston No. 1 Volunteer and Exempt Firemen's Benevolent Association, 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 658 of the laws of 1978 relating to
2 incorporation of the Lewiston No. 1 Volunteer and Exempt Firemen's
3 Benevolent Association, is amended to read as follows:

4 § 3. Purposes. The purposes of such corporation shall be the mainte-
5 nance of suitable headquarters for, and the promotion of friendly asso-
6 ciation for the betterment of the members of such corporation and their
7 relations with the community, for the promotion of fraternal intercourse
8 among the members of such corporation, to study and disseminate among
9 the members of such corporation the most efficient manner of fighting
10 fires and the relief, aid and assistance of such members and their
11 families who are injured, disabled or indigent, to promote and safeguard
12 the welfare of the volunteer members of the corporation, and their fami-
13 lies; to provide for the health and safety of the volunteer members of
14 the corporation; and to enhance the morale of the volunteer members of
15 the corporation by providing social and recreational activities for the
16 volunteer members of the corporation, and the promotion of the volunteer
17 fire service within the territory protected by such fire department of
18 the Lewiston No. 1 Volunteer and Exempt Firemen's Benevolent Associ-
19 ation, and to acquire real and personal property such as may be neces-
20 sary for the purposes herein set forth and the promotion of the welfare
21 of the volunteer fire service within the territory now served or which
22 may hereafter be served by the Lewiston Fire Company No. 1 of the
23 village of Lewiston, New York, Inc.

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

LBD04460-01-3

1 § 2. Section 7 of chapter 658 of the laws of 1978 relating to incorpo-
2 ration of the Lewiston No. 1 Volunteer and Exempt Firemen's Benevolent
3 Association, as amended by chapter 22 of the laws of 1985, is amended
4 to read as follows:

5 § 7. Precept for payment of foreign fire insurance premium taxes. Such
6 corporation shall collect and there shall be paid to it all taxes
7 imposed by section nine thousand one hundred four of the insurance law
8 for fire department use and benefit upon premiums for insurance against
9 loss or damage by fire covering property within the territory protected
10 by Lewiston Fire Company No. 1 of the village of Lewiston, New York,
11 Inc., located in the town of Lewiston, Niagara county, New York. The
12 officers of said corporation designated by its by-laws to collect and
13 receive the aforesaid tax shall have all the powers and be subject to
14 all the provisions of the insurance law, relating to treasurers of fire
15 departments. Such corporation shall also be entitled to receive a share
16 of the tax imposed by section nine thousand one hundred five of the
17 insurance law, based upon the business written in the territory with
18 respect to which it is entitled to collect and receive the tax under
19 section nine thousand one hundred four of the insurance law. Such taxes
20 shall only be used [~~for the care and relief of disabled or indigent~~
21 ~~volunteer and exempt volunteer firemen and their families~~] by the corpo-
22 ration in furtherance of its purposes as set forth in section three of
23 this act.

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