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:

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

§ 3. Purposes. The purposes of such corporation shall be the maintenance of suitable headquarters for, and the promotion of friendly association for the betterment of the members of such corporation and their relations with the community, for the promotion of fraternal intercourse among the members of such corporation, to study and disseminate among the members of such corporation the most efficient manner of fighting fires and the relief, aid and assistance of such members and their families who are *injured,* disabled or indigent*, to promote and safeguard the welfare of the volunteer members of the corporation, and their families; to provide for the health and safety of the volunteer members of the corporation; and to enhance the morale of the volunteer members of the corporation by providing social and recreational activities for the volunteer members of the corporation, and the promotion of the volunteer fire service within the territory protected by such fire department of the Lewiston No. 1 Volunteer and Exempt Firemen's Benevolent Association,* and to acquire real and personal property such as may be necessary for the purposes herein set forth and the promotion of the welfare of the volunteer fire service within the territory now served or which may hereafter be served by the Lewiston Fire Company No. 1 of the village of Lewiston, New York, Inc.

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

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

§ 7. Precept for payment of foreign fire insurance premium taxes. Such corporation shall collect and there shall be paid to it all taxes imposed by section nine thousand one hundred four of the insurance law for fire department use and benefit upon premiums for insurance against loss or damage by fire covering property within the territory protected by Lewiston Fire Company No. 1 of the village of Lewiston, New York, Inc., located in the town of Lewiston, Niagara county, New York. The officers of said corporation 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 the insurance law, relating to treasurers of fire departments. Such corporation shall also be entitled to receive a share of the tax imposed by section nine thousand one hundred five of the insurance law, based upon the business written in the territory with respect to which it is entitled to collect and receive the tax under section nine thousand one hundred four of the insurance law. Such taxes shall only be used [~~for the care and relief of disabled or indigent volunteer and exempt volunteer firemen and their families~~] **by the corporation in furtherance of its purposes as set forth in section three of this act**.

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