STATE OF NEW YORK

3404

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

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

AN ACT to amend the insurance law, in relation to the distribution of the foreign and alien fire insurance premium tax

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 4 of subsection (a) of section 9104 of the insurance law, as amended by chapter 293 of the laws of 1988, is amended to read as follows:

(4) if such payment is made to the treasurer or other fiscal officer of a fire department or fiscal officer of authorities having jurisdiction and control of such fire department, such treasurer or fiscal officer shall on or before the fifteenth day of March in each year distribute the amount so received to the fire companies constituting the fire department if such fire department is constituted of more than one fire company. **Beginning on the effective date of the chapter of the laws of two thousand twenty-three which amended this paragraph, the amount so received shall be distributed to the fire companies in proportion to the number of active members within each company. For the purposes of this paragraph, the term "active member" shall mean a member who participates in firefighting and is subject to call for whatever duties may be assigned to him or her under the rules and regulations of the fire department or company of which he or she is a member.**

§ 2. Subparagraph (E) of paragraph 2 of subsection (d) of section 9105 of the insurance law, as amended by chapter 293 of the laws of 1988, is amended to read as follows:

(E) if such payment is received by the treasurer or other fiscal officer of a fire department or fiscal officer of authorities having jurisdiction and control of such fire department, such treasurer or fiscal officer shall on or before the fifteenth day of July in each year distribute the amount so received to the fire companies constituting the

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

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fire department if such fire department is constituted of more than one fire company. **Beginning on the effective date of the chapter of the laws of two thousand twenty-three which amended this subparagraph, the amount so received shall be distributed to the fire companies in proportion to the number of active members within each company. For the purposes of this subparagraph, the term "active member" shall mean a member who participates in firefighting and is subject to call for whatever duties may be assigned to him or her under the rules and regulations of the fire department or company of which he or she is a member.**

§ 3. This act shall take effect immediately.