

STATE OF NEW YORK

9307--A

IN SENATE

May 10, 2024

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, 2 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 2. All persons who now are, or have been, or who hereafter shall be
9 active volunteer members of the Valhalla fire department or any fire
10 engine, hook and ladder, patrol, emergency rescue squad or hose company
11 in the Valhalla fire district or any fire district outside but contig-
12 uous to such fire district which contracts with the Valhalla fire
13 department for fire protection pursuant to the town law, and all persons
14 in any such fire district who [~~are entitled to the general exemptions of~~
15 ~~firemen therein as provided in section two hundred a of the general~~
16 ~~municipal law and two hundred nine of the village law, and acts amenda-~~
17 ~~tory thereof or supplemental thereto, or of any other applicable law,~~
18 have heretofore acquired or shall hereafter acquire the status of exempt
19 volunteer firefighters as defined in section two hundred of the general
20 municipal law or any other applicable law by virtue of having rendered
21 service in the Valhalla fire district shall be eligible to membership
22 [~~therein.~~] in the corporation created by this act; except that any fire-
23 fighter who has been removed for cause, expelled or dropped from the

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

LBD13791-07-4

1 rolls of the Valhalla Fire Department, and who has not been reinstated
2 therein, shall not be eligible for membership in such corporation. The
3 membership of any person in such corporation shall terminate upon the
4 withdrawal of such person as an active volunteer member of the Valhalla
5 Fire Department prior to the actual performance by such person of five
6 years' service as an active volunteer member of the Valhalla Fire
7 Department. Paid firefighters, if any, in the Valhalla Fire Department,
8 shall not be eligible for membership in the corporation.

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

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

21 § 2. Purposes and duty of the association. The purposes and duty [~~of~~
22 ~~the association is to provide relief to indigent and disabled firemen~~
23 ~~and their families]~~ of the corporation created by this act shall be: to
24 provide relief, aid and assistance to the volunteer members of such
25 corporation who are indigent or disabled or injured in the performance
26 of their duties, and their families; to promote and safeguard the
27 welfare of the volunteer members of such corporation, and their fami-
28 lies; to maintain a suitable headquarters for the members of such corpo-
29 ration; to provide for the health and safety of the volunteer members of
30 such corporation; and to enhance the morale of the volunteer members of
31 such corporation by providing for the social and recreational wellbeing
32 of the volunteer members of the corporation, and the promotion of the
33 volunteer fire service within the territory protected by the Valhalla
34 fire department.

35 § 8. Precept for payment of foreign fire insurance [~~companies~~ premium
36 taxes. Such corporation shall collect and there shall be paid to it all
37 tax imposed by section [~~one hundred thirty three~~ 9104 of the insurance
38 law upon premiums on policies of insurance covering property situated
39 within the Valhalla Fire District of the Town of Mount Pleasant, West-
40 chester county, New York, or within any duly organized territory in
41 which the fire department of said district is obligated to render fire
42 protection, except that said corporation shall remit such percentage of
43 all taxes so collected or paid to it, to the treasurer of the [~~firemen's~~
44 ~~association~~ Firefighters' Association of the [~~state~~ State of New York,
45 as may be required by the insurance law. The officer of said corporation
46 designated by its by-laws to collect and receive the aforesaid tax shall
47 have all the powers and be subject to all the provisions of section [~~one~~
48 ~~hundred thirty three~~ 9104 of the insurance law, relating to treasurers
49 of fire departments. Such corporation shall also be entitled to receive
50 a share of the tax imposed by section [~~one hundred forty nine a~~ 9105 of
51 the insurance law, based upon the business written in the territory with
52 respect to which it is entitled to collect and receive the tax under
53 section [~~one hundred thirty three~~ 9104 of the insurance law. Such
54 corporation shall also be entitled to receive and collect all taxes
55 heretofore due and owing and unpaid at the time of the creation of this
56 corporation. Such taxes shall be used only [~~for the care and relief of~~

1 ~~disabled or indigent volunteer and exempt firemen and their families] by~~
2 the corporation in furtherance of its purposes as set forth in section
3 two of this act.

4 § 3. This act shall take effect immediately; provided however, that
5 the amendments to section 8 of chapter 624 of the laws of 1940 made by
6 section two of this act shall apply to taxes due on premiums received on
7 and after January 1, 2025.