

STATE OF NEW YORK

10005

IN ASSEMBLY

May 1, 2024

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

AN ACT to amend chapter 187 of the laws of 1960 incorporating the West Islip 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. Sections 1, 2, 3 and 7 of chapter 187 of the laws of 1960
2 incorporating the West Islip Exempt Firemen's Benevolent Association,
3 are amended to read as follows:

4 Section 1. Incorporation; membership. A [~~membership~~] not-for-profit
5 corporation by the name of "West Islip Exempt [~~Firemen's~~] Firefighter's
6 Benevolent Association" is hereby created. It shall be composed of such
7 persons eligible to membership therein as hereinafter provided as shall
8 (a) notify the secretary of the West Islip fire department in writing
9 prior to the organization meeting of such corporation hereinafter
10 provided for their desire to become members, or (b) shall attend such
11 meeting or an adjournment thereof, and also such persons so eligible as
12 may become members of such corporation pursuant to its by-laws.

13 § 2. Persons eligible to membership. All persons who are now, or have
14 been, or who hereafter shall be volunteer members of the West Islip fire
15 district fire department, or of any fire corporation in such fire
16 district, and all persons resident in such fire district or in territory
17 provided with fire protection by contract with such fire district who
18 are exempt volunteer [~~firemen~~] firefighters as defined by section [~~two~~
19 ~~hundred~~] 200 of the general municipal law, shall be eligible to member-
20 ship in the corporation hereby created; provided that any person who has
21 been expelled or removed for cause from membership in any fire company
22 or department shall not be eligible to membership in such corporation.
23 Whenever a member who is not an exempt [~~fireman~~] firefighter as defined
24 by section [~~two-hundred~~] 200 of the general municipal law shall remove
25 from such fire district or from territory provided with fire protection
26 as aforesaid or if the territory in which a member resides shall no

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

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1 longer be provided with such fire protection, [~~his~~] such person's
2 membership in such corporation shall cease.

3 § 3. Purposes. The purposes of such corporation shall be [~~the mainte-~~
4 ~~nance of suitable headquarters for, and the promotion of fraternal~~
5 ~~intercourse among the members of such corporation, the relief, aid and~~
6 ~~assistance of such members and their families who are disabled or indi-~~
7 ~~gent, and the promotion of the welfare of the volunteer fire service~~
8 ~~within the West Islip fire district and territory provided with fire~~
9 ~~protection by contract with such fire district~~]: to provide relief, aid
10 and assistance to the volunteer members of such corporation who are
11 disabled, indigent or injured in the performance of their duties, and
12 their families; to promote and safeguard the welfare of the volunteer
13 members of such corporation, and their families; to maintain a suitable
14 headquarters for the members of such corporation; to provide for the
15 health and safety of the volunteer members of such corporation; and to
16 enhance the morale of the volunteer members of such corporation by
17 providing social and recreational activities for the volunteer members
18 of such corporation, and the promotion of the volunteer fire service
19 within the territory protected by the West Islip fire district fire
20 department.

21 § 7. Precept for payment of foreign fire insurance premium taxes. Such
22 corporation shall collect and there shall be paid to it all taxes
23 imposed by section [~~five hundred fifty three~~] 9104 of the insurance law,
24 for fire department use and benefit, upon premiums for insurance against
25 loss or damage by fire covering property situated within the territory
26 protected by the West Islip fire department, located in the town of
27 Islip, Suffolk county, New York, or within any duly organized territory
28 in which the West Islip fire department is or may be obligated to render
29 fire protection. The officer of said corporation designated by its
30 by-laws to collect and receive the aforesaid tax shall have all the
31 powers and be subject to all the provisions of the insurance law, relat-
32 ing to treasurers of fire departments. Such corporation shall also be
33 entitled to receive a share of the tax imposed by section [~~five hundred~~
34 ~~fifty-four~~] 9105 of the insurance law, based upon the business written
35 in the territory with respect to which it is entitled to collect and
36 receive the tax under section [~~five hundred fifty three~~] 9104 of the
37 insurance law. Such taxes shall only be used [~~for the care and relief of~~
38 ~~disabled or indigent volunteer and exempt volunteer firemen and their~~
39 ~~families~~] by the corporation in furtherance of its purposes as set forth
40 in section three of this act.

41 § 2. This act shall take effect immediately; provided, however, that
42 the amendments to section 7 of chapter 187 of the laws of 1960 made by
43 section one of this act shall apply to taxes due on premiums received on
44 and after January 1, 2025.