

STATE OF NEW YORK

2356

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

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

AN ACT to amend chapter 19 of the laws of 1985 creating the Volunteer
and Exempt Firemen's Benevolent Association of Upper Mountain, Inc.,
and providing for its powers and duties, 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 Assem-
bly, do enact as follows:

1 Section 1. Sections 3 and 7 of chapter 19 of the laws of 1985 creating
2 the Volunteer and Exempt Firemen's Benevolent Association of Upper Moun-
3 tain, Inc., and providing for its powers and duties are amended to read
4 as follows:

5 § 3. Purposes. The purposes of such corporation shall be the mainte-
6 nance of suitable headquarters for, and the promotion of friendly asso-
7 ciation for the betterment of the members of such corporation and their
8 relations with the community, for the promotion of fraternal intercourse
9 among the members of such corporation, to study and disseminate among
10 the members of such corporation the most efficient manner of fighting
11 fires, the relief, aid and assistance of such members and their families
12 who are injured, disabled or indigent, to promote and safeguard the
13 welfare of the volunteer members of the corporation, and their families;
14 to provide for the health and safety of the volunteer members of the
15 corporation; and to enhance the morale of the volunteer members of the
16 corporation by providing social and recreational activities for the
17 volunteer members of the corporation and the promotion of the volunteer
18 fire service within the territory protected by such fire department of
19 the Volunteer and Exempt Firemen's Benevolent Association of Upper Moun-
20 tain, Inc., and to acquire real and personal property such as may be
21 necessary for the purposes herein set forth and the promotion of the
22 welfare of the volunteer fire service within the territory now served or

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

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1 which may hereafter be served by the Upper Mountain Volunteer Fire
2 Company.

3 § 7. Precept for payment of foreign fire insurance premium taxes. Such
4 corporation shall collect and there shall be paid to it all taxes
5 imposed by section nine thousand one hundred four of the insurance law
6 for fire department use and benefit upon premiums for insurance against
7 loss or damage by fire covering property within the territory protected
8 by Upper Mountain Volunteer Fire Company within the town of Lewiston
9 located in Niagara county, New York. The officers of said corporation
10 designated by its by-laws to collect and receive the aforesaid tax shall
11 have all the powers and be subject to all the provisions of the insur-
12 ance law, relating to treasurers of fire departments. Such corporation
13 shall also be entitled to receive a share of the tax distributed pursu-
14 ant to the provisions of section nine thousand one hundred five of the
15 insurance law, based upon the business written in the territory with
16 respect to which it is entitled to collect and receive the tax under
17 section nine thousand one hundred four of the insurance law. Such taxes
18 shall only be used [~~for the care and relief of disabled or indigent~~
19 ~~volunteer and exempt volunteer firemen and their families~~] by the corpo-
20 ration in furtherance of its purposes as set forth in section three of
21 this act.

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