STATE OF NEW YORK

5808

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

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

AN ACT to amend chapter 47 of the laws of 1963 relating to incorporating the Bellport Volunteer Firemen's Benevolent Association, and providing for its powers and duties, in relation to the name and the management and control of the association and the usage of moneys received from foreign fire insurance companies by the association

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

Section 1. Sections 1, 6 and 7 of chapter 47 of the laws of 1963, relating to incorporating the Bellport Volunteer Firemen's Benevolent Association, and providing for its powers and duties, is amended to read as follows:

Section 1. Incorporation; membership. A membership corporation by the name of "Bellport Volunteer [~~Firemen's~~] Firefighter's Benevolent Association" is hereby created. It shall be composed of such persons eligible to membership therein as hereinafter provided as shall (a) notify the secretary of the Bellport volunteer fire department in writing prior to the organization meeting of such corporation hereinafter provided for of their desire to become members, or (b) shall attend such meeting or an adjournment thereof, and also such persons so eligible as may become members of such corporation pursuant to its by-laws.

§ 6. Control and disposal of funds and property. The control and disposal of the funds, property and estate of the said association, the exercise of its powers, and the management and control of its affairs shall be vested in and exercised by a board of trustees which shall consist of [~~seven~~] five members of such corporation; [~~viz.~~] to wit: the president, the vice president, the secretary, the treasurer and [~~three~~] one other [~~members~~] member having the title of trustee. Such officers and trustees shall be elected at the annual meeting of such corporation in the manner prescribed by its by-laws.

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

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§ 7. Precept for **the** payment of foreign fire insurance premium taxes. Such corporation shall collect and there shall be paid to it all taxes imposed by section [~~five~~] **nine thousand one** hundred [~~fifty-three~~] **four** of the insurance law, for fire department use and benefit, upon premiums for insurance against loss or damage by fire covering property situated within the territory protected by the Bellport volunteer fire department, located in the town of Brookhaven, Suffolk county, New York, or within any duly organized territory in which the Bellport volunteer fire department is or may be obligated to render fire protection. The officer of said corporation designated by its by-laws to collect and receive 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 [~~five~~] **nine thousand one** hundred [~~fifty-four~~] **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 [~~five~~] **nine thousand one** hundred [~~fifty-three~~] **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**.

§ 2. This act shall take effect immediately.