

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:

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

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

14 § 6. Control and disposal of funds and property. The control and
15 disposal of the funds, property and estate of the said association, the
16 exercise of its powers, and the management and control of its affairs
17 shall be vested in and exercised by a board of trustees which shall
18 consist of [~~seven~~ *five*] members of such corporation; [~~vis-~~ *to wit*]: the
19 president, the vice president, the secretary, the treasurer and [~~three~~
20 *one*] other [~~members~~ *member*] having the title of trustee. Such officers
21 and trustees shall be elected at the annual meeting of such corporation
22 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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1 § 7. Precept for the payment of foreign fire insurance premium taxes.
2 Such corporation shall collect and there shall be paid to it all taxes
3 imposed by section [~~five~~ nine thousand one hundred [~~fifty-three~~ four
4 of the insurance law, for fire department use and benefit, upon premiums
5 for insurance against loss or damage by fire covering property situated
6 within the territory protected by the Bellport volunteer fire depart-
7 ment, located in the town of Brookhaven, Suffolk county, New York, or
8 within any duly organized territory in which the Bellport volunteer fire
9 department is or may be obligated to render fire protection. The officer
10 of said corporation designated by its by-laws to collect and receive
11 aforesaid tax shall have all the powers and be subject to all the
12 provisions of the insurance law, relating to treasurers of fire depart-
13 ments. Such corporation shall also be entitled to receive a share of the
14 tax imposed by section [~~five~~ nine thousand one hundred [~~fifty-four~~
15 five of the insurance law, based upon the business written in the terri-
16 tory with respect to which it is entitled to collect and receive the tax
17 under section [~~five~~ nine thousand one hundred [~~fifty-three~~ four of the
18 insurance law. Such taxes shall only be used [~~for the care and relief of~~
19 ~~disabled or indigent volunteer and exempt volunteer firemen and their~~
20 ~~families~~ by the corporation in furtherance of its purposes as set forth
21 in section three of this act.

22 § 2. This act shall take effect immediately.