STATE OF NEW YORK

6727--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 639 of the laws of 1970 incorporating the Oriskany Volunteer Exempt Firemen's Association of Oriskany, county of Oneida, and providing for its powers and duties, in relation to the name and purposes of such association

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

Section 1. Sections 1, 2, 3, and 7 of chapter 639 of the laws of 1970 incorporating the Oriskany Volunteer Exempt Firemen's Association of Oriskany, county of Oneida, and providing for its powers and duties is amended to read as follows:

Section 1. Incorporation; membership. A membership corporation by the name of "Oriskany Volunteer Exempt [~~Firemen's~~] Firefighters' Benevolent Association of Oriskany, county of Oneida" 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 Oriskany Independent Fire and Hose Company, also known as Oriskany Volunteer Fire Department, in writing prior to the organization meeting of such corporation hereinafter provided 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.

§ 2. Persons eligible to membership. All persons who are now or have been, or who hereafter shall be active volunteer members of the Oriskany Independent Fire and Hose Company, also known as Oriskany Volunteer Fire Department, and who have heretofore acquired or shall hereafter acquire the status of exempt volunteer [~~firemen~~] firefighters as defined in section two hundred of the general municipal law or any other applicable law by virtue of having rendered service in said fire department,

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

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and all persons who are now or hereafter shall be active volunteer members of said fire department shall be eligible for membership in the corporation hereby created; provided that any person who has been expelled or removed for cause from membership in any fire department or company shall not be eligible to membership in such corporation. The membership of any person in such corporation shall terminate when [~~his~~] their membership as an active volunteer member of the Oriskany Independent Fire and Hose Company, also known as Oriskany Volunteer Fire Department shall terminate before such persons shall have acquired the status of exempt volunteer [~~firemen~~] firefighters as defined in section two hundred of the general municipal law by virtue of having rendered services to such fire department.

§ 3. Purposes. The purposes of such corporation shall be the maintenance of suitable headquarters for, and the promotion of fraternal intercourse among the members of such corporation, the relief, aid and assistance of such members and their families who are injured, disabled or indigent and to promote and safeguard the welfare of the volunteer members of the corporation and their families, to provide for the health and safety of the volunteer members of the corporation, and to enhance the morale of the volunteer members of the corporation by providing social and recreational activities for the volunteer members of the corporation and the promotion of the welfare of the volunteer fire service within the village of Oriskany and also within the territory provided with fire protection by the Oriskany Independent Fire and Hose Company, also known as Oriskany Volunteer Fire Department.

§ 7. Precept for payment of foreign fire insurance premium taxes. Notwithstanding any contrary provisions of any general, special or local law, or of any city charter or ordinance, heretofore or hereafter enacted, such corporation shall collect and there shall be paid to it all taxes imposed by former section five hundred fifty-three of the insurance law for fire department use and benefit, upon premises for insurance against loss or damage by fire covering property situated within the village of Oriskany, New York, located in the town of Whitestown, county of Oneida and state of New York, and/or within any duly organized territory in which the Oriskany Independent Fire and Hose Company, also known as Oriskany 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 the aforesaid tax shall have all the powers and be subject to all the provisions of the insurance law, relating to the treasurer of fire departments. Such corporation shall also be entitled to receive a share of the tax imposed by former section five hundred fifty-four 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 former section five hundred fifty-three 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.~~] Such taxes shall only be used by the corporation in furtherance of its purposes as set forth in section three of this act.

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 7 of chapter 639 of the laws of 1970 made by section one of this act shall apply to taxes due on premiums received on and after January 1, 2024.