STATE OF NEW YORK

7409--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 19, 2023

Introduced by M. of A. MORINELLO -- 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 584 of the laws of 1996 relating to incorporation of the Wheatfield Volunteer Firefighter's Benevolent Association 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 Assembly, do enact as follows:

Section 1. Section 3 of chapter 584 of the laws of 1996 relating to incorporation of the Wheatfield Volunteer Firefighter's Benevolent Association and providing for its powers and duties, is amended to read as follows:

§ 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 volunteer firefighters and their families who are injured, disabled or indigent [~~, and the promotion of~~]; to promote and safeguard the welfare of the volunteer [~~fire service~~] 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 volunteer fire service within the territory protected by such fire department of the Wheatfield Volunteer Firefighter's Benevolent Association.

§ 2. Section 7 of chapter 584 of the laws of 1996 relating to incorporation of the Wheatfield Volunteer Firefighter's Benevolent Association and providing for its powers and duties, is amended to read as follows:

§ 7. Precept for payment of foreign fire insurance premium taxes. Such corporation shall collect and there shall be paid to it all taxes

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

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imposed by section 9104 of the insurance law for fire department use and benefit, upon premiums for insurance against loss or damage by fire covering property situated in the territory in which the Adams Fire Company Inc., St. Johnsburg Fire Company Inc., and Frontier Fire Company Inc., in the town of Wheatfield, county of Niagara, are or may be obligated to render fire protection. The officers 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 treasurers of the fire companies. Such corporation shall also be entitled to receive a share of the tax imposed by section 9105 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 9104 of the insurance law. Such taxes shall only be used [~~for the care and relief of disabled or indigent volunteer and exempt volunteer firefighters and their families~~] **by the corporation in furtherance of its purposes as set forth in section three of this act**.

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