

# STATE OF NEW YORK

8842

## IN ASSEMBLY

January 18, 2024

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

AN ACT to amend chapter 624 of the laws of 1940 incorporating the volunteer and exempt firemen's benevolent association of Valhalla, New York, and providing for its powers and duties, in relation to the name and purpose of such association 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:

1 Section 1. Subdivisions 1 and 3 of section 1 of chapter 624 of the  
2 laws of 1940 incorporating the volunteer and exempt firemen's benevolent  
3 association of Valhalla, New York, and providing for its powers and  
4 duties, are amended to read as follows:

5 1. A membership corporation by the name of "Volunteer and Exempt  
6 [~~Firemen's~~ Firefighters' Benevolent Association of Valhalla, New York,"  
7 is hereby created.

8 3. Nothing contained herein or in the village law or any other such  
9 applicable law shall preclude a person from membership in such Volunteer  
10 and Exempt [~~Firemen's~~ Firefighters' Benevolent Association of Valhalla,  
11 New York, who resides in a fire district outside of but contiguous to  
12 the Valhalla fire district, when the fire commissioners of such  
13 districts have contracted with the board of fire commissioners of the  
14 Valhalla fire district for fire protection under and pursuant to the  
15 provisions of law in such case made and provided.

16 § 2. Sections 2 and 8 of chapter 624 of the laws of 1940 incorporating  
17 the volunteer and exempt firemen's benevolent association of Valhalla,  
18 New York, and providing for its powers and duties, are amended to read  
19 as follows:

20 § 2. Purposes [~~and duty~~] of the association. The purposes [~~and duty of~~  
21 ~~the association is to provide relief to indigent and disabled firemen~~  
22 ~~and their families~~] of the association created by this act shall be: to  
23 provide relief, aid and assistance to the volunteer members of such  
24 corporation who are disabled, indigent or injured in the performance of  
25 their duties, and their families; to promote and safeguard the welfare

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

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1 of the volunteer members of such corporation, and their families; to  
2 maintain a suitable headquarters for the members of such association; to  
3 provide for the health and safety of the volunteer members of such asso-  
4 ciation; and to enhance the morale of the volunteer members of such  
5 association by providing for the social and recreational wellbeing of  
6 the volunteer members of the association, including holding activities  
7 for the volunteer members of such association, and the promotion of the  
8 volunteer fire service within the territory protected by the volunteer  
9 members of the Valhalla fire department or of any fire engine, hook and  
10 ladder, patrol, emergency rescue squad or hose company in the Valhalla  
11 fire district.

12 § 8. Precept for payment of foreign fire insurance [~~companies~~] premium  
13 taxes. Such corporation shall collect and there shall be paid to it all  
14 tax imposed by section [~~one hundred thirty-three~~] 9104 of the insurance  
15 law upon premiums on policies of insurance covering property situated  
16 within the Valhalla Fire District of the Town of Mount Pleasant, West-  
17 chester county, New York, or within any duly organized territory in  
18 which the fire department of said district is obligated to render fire  
19 protection, except that said corporation shall remit such percentage of  
20 all taxes so collected or paid to it, to the treasurer of the [~~firemen's~~  
21 ~~association~~] Firefighters' Association of the [~~state~~] State of New York,  
22 as may be required by the insurance law. The officer of said corporation  
23 designated by its by-laws to collect and receive the aforesaid tax shall  
24 have all the powers and be subject to all the provisions of section [~~one~~  
25 ~~hundred thirty-three~~] 9104 of the insurance law, relating to treasurers  
26 of fire departments. Such corporation shall also be entitled to receive  
27 a share of the tax imposed by section [~~one hundred forty-nine-a~~] 9105 of  
28 the insurance law, based upon the business written in the territory with  
29 respect to which it is entitled to collect and receive the tax under  
30 section [~~one hundred thirty-three~~] 9105 of the insurance law. Such  
31 corporation shall also be entitled to receive and collect all taxes  
32 heretofore due and owing and unpaid at the time of the creation of this  
33 corporation. Such taxes shall be used only [~~for the care and relief of~~  
34 ~~disabled or indigent volunteer and exempt firemen and their families~~] by  
35 the corporation in furtherance of its purposes as set forth in section  
36 two of this act.

37 § 3. This act shall take effect immediately; provided however, that  
38 the amendments to section 8 of chapter 624 of the laws of 1940 made by  
39 section two of this act shall apply to taxes due on premiums received on  
40 and after January 1, 2024.