STATE OF NEW YORK

4006

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

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

AN ACT to amend chapter 45 of the laws of 1963 relating to incorporating the Bohemia Volunteer Firemen's Benevolent Association, and providing for its powers and duties, in relation to the use of certain moneys received by such benevolent association and modernization of certain language

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

Section 1. Sections 1, 2, 6 and 7 of chapter 45 of the laws of 1963 relating to incorporating the Bohemia Volunteer Firemen's Benevolent Association, and providing for its powers and duties, are amended to read as follows:

Section 1. Incorporation; membership. A membership corporation by the name of "Bohemia 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 Bohemia 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.

§ 2. Persons eligible to membership. All persons who are now, or who have been, or who hereafter shall be active volunteer members of the Bohemia volunteer fire department, or of any fire corporation in the Bohemia fire district, and who have heretofore acquired or shall hereafter acquire the status of exempt volunteer [~~firemen~~] **firefighter** as defined in section two hundred of the general municipal law or any other applicable law by virtue of having rendered service in the Bohemia volunteer fire department, or of any fire corporation in the Bohemia fire district, and all persons who are active volunteer members of the

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

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Bohemia volunteer fire department shall be eligible for membership in the corporation created by this act, except that any [~~fireman~~] **fire-fighter** who has been removed for cause, expelled or dropped from the rolls of any fire company or department, and who has not been reinstated therein, shall not be eligible for membership in such corporation. The membership of any person in such corporation shall terminate upon the withdrawal of such person as an active volunteer member of the Bohemia volunteer fire department prior to the actual performance by such person of five years service as an active volunteer member of the Bohemia volunteer fire department. Whenever a member who is not an exempt [~~fire-man~~] **firefighter** as defined by section two hundred of the general municipal law shall move from such fire district or from territory provided with fire protection as aforesaid or if the territory in which a member resides shall no longer be provided with such fire protection, [~~his~~] **such member's** membership in such corporation shall cease.

§ 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 [~~five~~] **eight** members of such corporation; viz.: the president, the vice-president, the secretary, the treasurer and [~~one~~] **four** other [~~member~~] **members** 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.

§ 7. Precept for payment of foreign fire insurance premium taxes. Such corporation shall collect and there shall be paid to it all taxes imposed by section [~~five hundred fifty-three~~] **nine thousand one hundred 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 Bohemia volunteer fire department, located in the town of Islip, Suffolk county, New York, or within any duly organized territory in which the Bohemia 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 treasurers of fire departments. Such corporation shall also be entitled to receive a share of the tax imposed by section [~~five hundred fifty-four~~] **nine thousand one hundred 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 hundred fifty-three~~] **nine thousand one hundred 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~~] **in furtherance of its purposes set forth in section three of this act**.

§ 2. This act shall take effect immediately.