

STATE OF NEW YORK

9197

IN SENATE

February 13, 2026

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to incorporate the New Hartford Volunteer Exempt Firefighters' Benevolent Association and providing for its powers and duties

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

1 Section 1. Incorporation; membership. A not-for-profit corporation by
2 the name of "New Hartford Volunteer Exempt Firefighters' Benevolent
3 Association" is hereby created. It shall be composed of such persons
4 eligible to membership therein as hereinafter provided and shall (a)
5 notify the secretary of the New Hartford Fire Department, a volunteer
6 fire department, in writing prior to the organization meeting hereinaft-
7 er provided for of the corporation created by this act of their desire
8 to become members, or (b) attend such meeting or an adjournment thereof
9 and signify their intention of becoming members of such corporation at
10 such meeting, or (c) notify the secretary of the corporation hereby
11 created in writing within sixty days after their election of their
12 desire to become members thereof, and also such persons so eligible as
13 may thereafter become members of such corporation pursuant to its
14 by-laws.

15 § 2. Persons eligible for membership. All persons who are now, or have
16 been, or hereafter shall be active volunteer members of the New Hartford
17 Fire Department in the county of Oneida, and who have acquired or shall
18 hereafter acquire the status of exempt volunteer firefighter as defined
19 in section 200 of the general municipal law by virtue of having rendered
20 service in the New Hartford Fire Department, shall be eligible for
21 membership in the corporation created by this act, except that any fire-
22 fighter who has been removed for cause, expelled or dropped from the
23 rolls of the New Hartford Fire Department, and who has not been rein-
24 stated therein, shall not be eligible for membership in such corpo-
25 ration. The membership of any person in such corporation shall terminate
26 upon the withdrawal of such person as an active volunteer member of the
27 New Hartford Fire Department prior to the actual performance by such
28 person of five years' service as an active volunteer member of the New

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

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1 Hartford Fire Department. Paid firefighters, if any, of the New Hartford
2 Fire Department, shall not be eligible for membership in the corpo-
3 ration.

4 § 3. Purposes. The purposes of the corporation created by this act
5 are: to provide relief, aid and assistance to the volunteer members of
6 such corporation who are indigent, disabled or injured in the perform-
7 ance of their duties, and their families; to maintain a suitable head-
8 quarters for the members of the corporation; to promote and safeguard
9 the welfare of the volunteer members of the corporation, and their fami-
10 lies; to provide for the health and safety of the volunteer members of
11 the corporation; and to enhance the morale of the volunteer members of
12 the corporation by providing social and recreational activities for the
13 volunteer members of the corporation, and the promotion of the volunteer
14 fire service within the territory protected by the New Hartford Fire
15 Department.

16 § 4. Powers and duties. Such corporation shall have all the powers of
17 a not-for-profit corporation, and the provisions of law relating to
18 not-for-profit corporations shall apply to this corporation except where
19 they conflict with the provisions of this act. However, unless the writ-
20 ten approval of the applicable governmental agency or department shall
21 have first been obtained such corporation shall not establish and main-
22 tain any home or institution which, if separately incorporated, would
23 require the approval of such department.

24 § 5. Organization meeting; by-laws. The secretary of the New Hartford
25 Fire Department shall call a meeting for the organization of such corpo-
26 ration to be held not later than 60 days after this act takes effect,
27 notice of which shall be given by the secretary by posting or causing to
28 be posted a notice thereof in five conspicuous places within the terri-
29 tory protected by the New Hartford Fire Department and also by publica-
30 tion of notice thereof in one or more newspapers having a general circu-
31 lation within such territory, and such posting and publication shall be
32 effected at least 10 days prior to the date of such meeting. At such
33 meeting or any adjournment thereof, the members of such corporation
34 shall present and adopt by-laws and elect officers and directors to
35 serve until the first annual meeting which shall be held on a date to be
36 fixed by the by-laws. Any member failing to comply with the by-laws,
37 rules or regulations duly adopted by such corporation shall be subject
38 to suspension and expulsion in such manner as may be provided for in
39 such by-laws. Any members who ceases to be such, voluntarily or other-
40 wise, shall forfeit all interest in the property of such corporation.

41 § 6. Control and disposal of funds and property. The control and
42 disposal of the funds and property of the said corporation, the exercise
43 of its powers, and the management and control of its affairs, except as
44 hereinafter provided, shall be vested in and exercised by a board of
45 trustees which shall consist of no less than 7 members of the corpo-
46 ration, to wit: the president, the vice-president, the secretary and
47 treasurer and three other members having the title of trustee. Such
48 officers and trustees shall be elected at the annual meeting of such
49 corporation in the manner prescribed by its by-laws.

50 § 7. Precept for payment of foreign fire insurance premium taxes. Such
51 corporation shall collect and there shall be paid to it all taxes
52 imposed by section 9104 of the insurance law for fire department use and
53 benefit, upon premiums for insurance against loss or damage by fire
54 covering property situated in that portion of the town of New Hartford,
55 county of Oneida, served by the New Hartford Fire Department, or within
56 any duly organized territory in which the New Hartford Fire Department

1 is or may be obligated to render fire protection. The officer of said
2 corporation designated by its by-laws to collect and receive the afore-
3 said tax shall have all the powers and be subject to all the provisions
4 of the insurance law, relating to treasurers of fire departments. Such
5 corporation shall also be entitled to receive a share of the tax imposed
6 by section 9105 of the insurance law, based upon the business written in
7 the territory with respect to which it is entitled to collect and
8 receive the tax under section 9104 of the insurance law. Such taxes
9 shall only be used by the corporation in furtherance of its purposes as
10 set forth in section three of this act.

11 § 8. This act shall take effect immediately; provided, however, that
12 the provisions of section seven of this act shall apply to taxes due on
13 premiums received on and after January 1, 2027.