

STATE OF NEW YORK

9968

IN SENATE

April 20, 2026

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

AN ACT in relation to establishing the Harris Hill Volunteer Fire Company Benevolent Association

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 "Harris Hill Volunteer Fire Company Benevolent Association",
3 is hereby created. It shall be composed of such persons eligible to
4 membership therein as hereinafter provided pursuant to the provisions of
5 this act and shall (a) notify the secretary of the Harris Hill Volunteer
6 Fire Company, a volunteer fire company, in writing prior to the organ-
7 ization meeting hereinafter provided for of the corporation created by
8 this act of their desire to become members, or (b) attend such meeting
9 or an adjournment thereof and signify their intention of becoming
10 members of such corporation at such meeting, or (c) notify the secretary
11 of the corporation hereby created in writing within sixty days after
12 their election of their desire to become members thereof, and also such
13 persons so eligible as may thereafter become members of such corporation
14 pursuant to its 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 Harris Hill
17 Volunteer Fire Company, in the county of Erie, and who have acquired or
18 shall hereafter acquire the status of exempt volunteer firefighter as
19 defined in section 200 of the general municipal law by virtue of having
20 rendered service in the Harris Hill Volunteer Fire Company, and all
21 persons who are now or hereafter shall be active volunteer members of
22 the Harris Hill Volunteer Fire Company, shall be eligible for membership
23 in the corporation created by this act, except that any firefighter who
24 has been removed for cause, expelled or dropped from the rolls of the
25 Harris Hill Volunteer Fire Company, and who has not been reinstated
26 therein, shall not be eligible for membership in such corporation. The
27 membership of any person in such corporation shall terminate upon the
28 withdrawal of such person as an active volunteer member of the Harris

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

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1 Hill Volunteer Fire Company, prior to the actual performance by such
2 person of five years service as an active volunteer member of Harris
3 Hill Volunteer Fire Company. Paid firefighters, if any, of the Harris
4 Hill Volunteer Fire Company, shall not be eligible for membership in the
5 corporation.

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

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

26 § 5. Organization meeting; by-laws. The secretary of the Harris Hill
27 Volunteer Fire Company shall call a meeting for the organization of such
28 corporation to be held not later than sixty days after this act takes
29 effect, notice of which shall be given by the secretary by posting or
30 causing to be posted a notice thereof in five conspicuous places within
31 the territory protected by the Harris Hill Volunteer Fire Company and
32 also by publication of notice thereof in one or more newspapers having a
33 general circulation within such territory and also by conspicuously
34 posting such notice on the fire company's internet website. Such post-
35 ing and publication shall be effectuated at least ten days prior to the
36 date of such meeting. At such meeting or any adjournment thereof, the
37 members of such corporation shall present and adopt by-laws and elect
38 officers and directors to serve until the first annual meeting which
39 shall be held on a date to be fixed by the by-laws. Any member failing
40 to comply with the by-laws, rules or regulations duly adopted by such
41 corporation shall be subject to suspension and expulsion in such manner
42 as may be provided for in such by-laws. Any member, who ceases to be
43 such, voluntarily or otherwise, shall forfeit all interest in the prop-
44 erty of such corporation.

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

54 § 7. Precept for payment of foreign fire insurance premium taxes. Such
55 corporation shall collect and there shall be paid to it all taxes
56 imposed by section 9104 of the insurance law for fire department use and

1 benefit, upon premiums for insurance against loss or damage by fire
2 covering property situated in that portion of the town of Clarence,
3 county of Erie, served by the Harris Hill Volunteer Fire Company, or
4 within any duly organized territory in which the Harris Hill Volunteer
5 Fire Company is or may be obligated to render fire protection. The offi-
6 cer of said corporation designated by its by-laws to collect and receive
7 the aforesaid tax imposed shall have all the powers and be subject to
8 all the provisions of the insurance law, relating to treasures of fire
9 departments. Such corporation shall also be entitled to receive a share
10 of the tax imposed by section 9105 of the insurance law, based upon the
11 business written in the territory with respect to which it is entitled
12 to collect and receive the tax under section 9104 of the insurance law.
13 Such taxes shall only be used by the corporation in furtherance of its
14 purposes as set forth in section three of this act.

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