

# STATE OF NEW YORK

2684

2025-2026 Regular Sessions

## IN ASSEMBLY

January 22, 2025

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

AN ACT to amend chapter 123 of the laws of 1945 incorporating the volunteer and exempt firemen's benevolent association of Thornwood, New York, in relation to the purposes of the volunteer and exempt firefighters' benevolent association of Thornwood, New York

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

1 Section 1. Section 1 of chapter 123 of the laws of 1945 incorporating  
2 the volunteer and exempt firemen's benevolent association of Thornwood,  
3 New York is amended to read as follows:

4 Section 1. A corporation by the name of "Volunteer and Exempt [~~Fire-~~  
5 ~~men's~~] Firefighters' Benevolent Association of Thornwood, New York" is  
6 hereby created. It shall be composed of such active members of the  
7 Thornwood fire department and such exempt volunteer [~~firemen~~] firefight-  
8 ers, as defined in section [~~two hundred~~] 200 of the general municipal  
9 law or any other applicable law, who have acquired such status by virtue  
10 of having rendered service in any company in the Thornwood fire depart-  
11 ment[~~r~~] as shall:

12 (a) notify the secretary of their company, in writing, prior to the  
13 organization meeting of the corporation created by this act, which meet-  
14 ing is hereinafter provided for, of their desire to become members, or

15 (b) attend such organization meeting or an adjournment thereof, or

16 (c) notify the secretary of such corporation, in writing, within sixty  
17 days after [~~his~~] such firefighter's election, of their desire to become  
18 members thereof, and also such other of the active volunteer [~~firemen~~]  
19 firefighters aforesaid, or of those who may hereafter become active  
20 members of the aforesaid Thornwood fire department, or who may hereafter  
21 become exempt volunteer [~~firemen~~] firefighters, as defined in section  
22 [~~two hundred~~] 200 of the general municipal law or any other applicable  
23 law, by virtue of having rendered service in any company of said depart-

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

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1 ment, as may become members of such corporation pursuant to the  
2 provisions of its by-laws. Any active member of any of said companies  
3 who shall cease to be a member thereof without having acquired the  
4 status of an exempt volunteer [~~fireman~~] firefighter shall automatically  
5 be dropped from membership in such corporation. The purposes of such  
6 corporation shall be [~~the~~]: to provide relief, aid and assistance [~~of~~]  
7 to the members [~~thereof and their families,~~] of such corporation who are  
8 disabled or indigent[, ~~and the promotion of~~] or injured in the perform-  
9 ance of their duties, and their families; to promote and safeguard the  
10 welfare of the volunteer [~~fire service in the territory protected by~~  
11 ~~such department~~] members of the corporation, and their families; to  
12 maintain a suitable headquarters for the members of such corporation; to  
13 provide for the health and safety of the volunteer members of such  
14 corporation; and to enhance the morale of the volunteer members of such  
15 corporation by providing for the social and recreational wellbeing of  
16 the volunteer members of the corporation, and the promotion of the  
17 volunteer fire service within the territory protected by the Thornwood  
18 fire department.

19 Such corporation shall have all the powers of a membership corpo-  
20 ration, and the provisions of law relating to membership corporations  
21 shall apply to such corporation, except where they conflict with the  
22 provisions of this act.

23 The presidents, or other presiding officers, of the companies of said  
24 department shall call a meeting for the organization of such corpo-  
25 ration, to be held not later than sixty days after this act takes  
26 effect, notice of which shall be given by posting a notice thereof in  
27 five conspicuous places within the territory protected by such companies  
28 and also by publication thereof in one or more newspapers having general  
29 circulation in such territory, such posting and publishing to take place  
30 at least ten days prior to the date of such meeting. At such meeting, or  
31 an adjournment thereof, the members of such corporation present shall  
32 adopt by-laws and elect officers to serve until the first annual meet-  
33 ing, which shall be held on a date to be fixed by the by-laws.

34 Any member failing to comply with the by-laws, rules or regulations  
35 duly adopted by such corporation shall be subject to expulsion in such  
36 manner as may be provided for in such by-laws. Any member who ceases to  
37 be such, voluntarily or otherwise, shall forfeit all interest in the  
38 property of such corporation.

39 § 2. Section 3 of chapter 123 of the laws of 1945 incorporating the  
40 volunteer and exempt firemen's benevolent association of Thornwood, New  
41 York is amended to read as follows:

42 § 3. Such corporation shall collect and there shall be paid to it all  
43 tax which is imposed by section [~~five hundred fifty three~~] 9104 of the  
44 insurance law, for fire department use and benefit, upon premiums for  
45 insurance against loss or damage by fire covering property situated  
46 within the territory immediately protected by the aforesaid department  
47 and companies thereof, and within any duly organized territory in which  
48 any or all of such companies is or may hereafter be obligated to render  
49 protection. The officer of said corporation designated by its by-laws to  
50 collect and receive the aforesaid tax shall have the same powers as  
51 provided by law for the treasurer of a fire department with respect to  
52 such collection and receipt. Such corporation shall also be entitled to  
53 receive a share of the tax imposed by section [~~five hundred fifty four~~]  
54 9105 of the insurance law based upon the business written in the terri-  
55 tory with respect to which it is entitled to collect and receive the tax  
56 under section [~~five hundred fifty three~~] 9104 of the insurance law. Such

1 taxes shall only be used [~~for the care and relief of disabled or indi-~~  
2 ~~gent volunteer and exempt firemen and their families~~] by the corporation  
3 in furtherance of its purposes set forth in section one of this act.

4 § 3. This act shall take effect immediately; provided however, that  
5 section two of this act shall apply to taxes due on premiums received on  
6 and after January 1, 2026.