

# STATE OF NEW YORK

4006--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

1 Section 1. Sections 1, 2, 6 and 7 of chapter 45 of the laws of 1963  
2 relating to incorporating the Bohemia Volunteer Firemen's Benevolent  
3 Association, and providing for its powers and duties, are amended to  
4 read as follows:  
5 Section 1. Incorporation; membership. A membership corporation by the  
6 name of "Bohemia Volunteer [~~Firemen's~~ *Firefighter's* Benevolent Associ-  
7 ation" is hereby created. It shall be composed of such persons eligible  
8 to membership therein as hereinafter provided as shall (a) notify the  
9 secretary of the Bohemia volunteer fire department in writing prior to  
10 the organization meeting of such corporation hereinafter provided for of  
11 their desire to become members, or (b) shall attend such meeting or an  
12 adjournment thereof, and also such persons so eligible as may become  
13 members of such corporation pursuant to its by-laws.  
14 § 2. Persons eligible to membership. All persons who are now, or who  
15 have been, or who hereafter shall be active volunteer members of the  
16 Bohemia volunteer fire department, or of any fire corporation in the  
17 Bohemia fire district, and who have heretofore acquired or shall here-  
18 after acquire the status of exempt volunteer [~~firemen~~ *firefighter* as  
19 defined in section two hundred of the general municipal law or any other  
20 applicable law by virtue of having rendered service in the Bohemia  
21 volunteer fire department, or of any fire corporation in the Bohemia

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

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1 fire district, and all persons who are active volunteer members of the  
2 Bohemia volunteer fire department shall be eligible for membership in  
3 the corporation created by this act, except that any [~~fireman~~] fire-  
4 fighter who has been removed for cause, expelled or dropped from the  
5 rolls of any fire company or department, and who has not been reinstated  
6 therein, shall not be eligible for membership in such corporation. The  
7 membership of any person in such corporation shall terminate upon the  
8 withdrawal of such person as an active volunteer member of the Bohemia  
9 volunteer fire department prior to the actual performance by such person  
10 of five years service as an active volunteer member of the Bohemia  
11 volunteer fire department. Whenever a member who is not an exempt [~~fire-~~  
12 ~~man~~] firefighter as defined by section two hundred of the general munic-  
13 ipal law shall move from such fire district or from territory provided  
14 with fire protection as aforesaid or if the territory in which a member  
15 resides shall no longer be provided with such fire protection, [~~his~~]  
16 such member's membership in such corporation shall cease.

17 § 6. Control and disposal of funds and property. The control and  
18 disposal of the funds, property and estate of the said association, the  
19 exercise of its powers, and the management and control of its affairs  
20 shall be vested in and exercised by a board of trustees which shall  
21 consist of [~~five~~] eight members of such corporation; viz.: the presi-  
22 dent, the vice-president, the secretary, the treasurer and [~~one~~] four  
23 other [~~member~~] members having the title of trustee. Such officers and  
24 trustees shall be elected at the annual meeting of such corporation in  
25 the manner prescribed by its by-laws.

26 § 7. Precept for payment of foreign fire insurance premium taxes. Such  
27 corporation shall collect and there shall be paid to it all taxes  
28 imposed by section [~~five hundred fifty three~~] nine thousand one hundred  
29 four of the insurance law, for fire department use and benefit, upon  
30 premiums for insurance against loss or damage by fire covering property  
31 situated within the territory protected by the Bohemia volunteer fire  
32 department, located in the town of Islip, Suffolk county, New York, or  
33 within any duly organized territory in which the Bohemia volunteer fire  
34 department is or may be obligated to render fire protection. The officer  
35 of said corporation designated by its by-laws to collect and receive the  
36 aforesaid tax shall have all the powers and be subject to all the  
37 provisions of the insurance law, relating to treasurers of fire depart-  
38 ments. Such corporation shall also be entitled to receive a share of the  
39 tax imposed by section [~~five hundred fifty four~~] nine thousand one  
40 hundred five of the insurance law, based upon the business written in  
41 the territory with respect to which it is entitled to collect and  
42 receive the tax under section [~~five hundred fifty three~~] nine thousand  
43 one hundred four of the insurance law. Such taxes shall only be used  
44 [~~for the care and relief of disabled or indigent volunteer and exempt~~  
45 ~~volunteer firemen and their families~~] in furtherance of its purposes set  
46 forth in section three of this act.

47 § 2. This act shall take effect immediately; provided however, that  
48 the amendments to section 7 of chapter 45 of the laws of 1963 made by  
49 section one of this act shall apply to taxes due on premiums received on  
50 and after January 1, 2026.