

# 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.