§ 4522. Exemptions of certain organizations. (a) Except as provided in subsection (b) hereof the following societies, corporations, unincorporated associations, and other organizations shall be exempt from the provisions of this chapter requiring the obtaining of a license to do an insurance business and from all other requirements of this chapter except those provided in subsections (c) and (d) hereof and except section three thousand two hundred nine and the provisions of article seventy-four of this chapter:

(1) Organizations of workmen of the same trade or of several allied trades maintained for the purpose of securing by united action the most favorable conditions as regards wages, hours and conditions of labor, and the protection of their individual rights in the prosecution of their trade or trades.

(2) Organizations which limit their membership to the employees of a particular city or town, or of a designated business corporation or firm, or of one or more business corporations or firms having business interests in common, except as otherwise provided in subsection (f) of section one thousand one hundred eight of this chapter. Any such organization which limits its membership to the employees of a corporation having more than five thousand employees may provide for hospital, surgical and medical benefits for the employee, his or her spouse, and his or her child or children not over eighteen years of age.

(3) Organizations of a religious, charitable, benevolent or fraternal character, which are not organized or maintained primarily for the purpose of providing insurance benefits, and which have not more than fifteen hundred members who are or may be entitled to any insurance benefits unless the organization obligates itself to pay a death benefit of more than five hundred dollars on the death of any one member, or disability benefits of more than three hundred fifty dollars to any one person in any one year, or both.

(4) Organizations which limit their membership to persons engaged in one or more occupations in the same or similar lines of business and which, together with their legal predecessors or affiliated bodies continuously paid or provided for the payment of death or disability benefits to their members for a period of not less than fifteen years prior to January first, nineteen hundred forty.

(5) Any organization of a religious, charitable, benevolent or

fraternal character, which is not organized or maintained primarily for the purpose of providing insurance benefits, which have furnished hospital benefits to its members under a plan where the maximum charge for such benefits is not in excess of two dollars per annum and which was in operation for ten years prior to March first, nineteen hundred forty-one, or which obligates itself to pay a death benefit of not more than one hundred dollars on the death of any one member, and has been in operation for more than twenty-five years prior to March first, nineteen hundred fifty.

(6) Organizations which limit their membership to members of a fraternal benefit society organized under the provisions of this chapter and which provide either cemetery benefits, or funeral benefits not in excess of seventy-five dollars for any one interment, or both, for such member, his or her spouse or his or her child or children not over twenty-one years of age.

(b) The foregoing exemptions shall not apply to:

(1) any organization which is incorporated or organized under the laws of, or has its principal office or headquarters in, any province or country outside of the United States,

(2) any organization, except one specified in paragraph two of subsection (a) hereof, which makes or issues annuity contracts,

(3) any organization of any of the kinds specified in paragraph two, three or five of subsection (a) hereof if it gives or allows, or promises to give or allow, to any person any compensation for procuring new members, or

(4) any subordinate lodge of any society providing insurance benefits to its members.

(c) The superintendent may require from any organization claiming exemption under subsection (a) hereof, by examination in accordance with section three hundred ten of this chapter, or otherwise, such information as will enable him to determine whether such organization is exempt under this section.

(d) No organization of the kinds hereinbefore specified which obligates itself to pay life insurance or accident or health or disability insurance benefits to its members shall make, issue or deliver in this state any certificate or other written evidence of such obligation unless the same shall have conspicuously printed on the first

page thereof in bold-faced type not smaller than ten point the following statement: "This organization does not operate under the supervision of the New York State Department of Financial Services."