



AN ACT INCREASING THE PENSION BENEFIT AMOUNT THAT THE BOARD OF TRUSTEES OF A FIRE DEPARTMENT RELIEF ASSOCIATION MAY SET FOR MEMBERS OF THE ASSOCIATION WHO ARE VOLUNTEERS; AMENDING SECTION 19-18-602, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 19-18-602, MCA, is amended to read:

"19-18-602. Service pension. (1) Each association shall pay, out of its disability and pension fund, a service pension to ~~each of its members~~ a member who elects to retire from active service after having completed 20 years or more of active duty and who has reached ~~the age of~~ 50 years of age as a fully paid member of a paid or partly paid and partly volunteer fire department of the city or town in which the association was formed. The pension must be equal to one-half of the sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual leave, for the member's services as an active member of the fire department.

(2) Effective July 1, 1974, a member who completes 20 years of service and elects to serve additional years must receive the pension provided for in subsection (1) increased at the rate of 1% a year for each additional year of service completed, up to a maximum of 60% of the sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual leave, for services as an active member of the fire department. A member is not eligible to receive a service pension prior to attaining ~~the age of~~ 50 years of age.

(3) (a) The monthly pension paid to members retiring on or after July 1, 1973, must be at least one-half the regular monthly salary, excluding overtime and payments in lieu of sick leave and annual leave, paid to a confirmed active firefighter of that city, as provided each year in the budget of that city. The monthly pension paid to a member retiring prior to July 1, 1974, must be at least \$200.

(b) In the case of volunteer firefighters, the pension may be set by the board of trustees of the association, but may not exceed ~~\$225~~ \$225 a month, except that the pension may be set by the board of trustees

of an association and a city at an amount not to exceed \$300 a month if the association's fund is soundly funded, as provided in 19-18-503.

(4) As of July 1, 1977, a member is not eligible to receive a service pension under this section unless the member is making a monthly contribution to the disability and pension fund, as required by 19-18-501, and is on active duty as a fully paid member of a fire department when the member reaches ~~the age of~~ 50 years of age.

(5) A member of a pure volunteer fire department who has served 20 years or more as an active member of the fire department is entitled to the benefits provided for in this chapter regardless of age. A member of a pure volunteer fire department who has completed 10 ~~years~~ years of service as an active member of the fire department but who is prevented from completing 20 ~~years~~ years of service by dissolution or discontinuance of the member's volunteer fire department, personal relocation because of transfer or loss of employment, personal disability, or any other factor beyond the member's reasonable control may qualify for a partial or reduced pension in an amount and to the extent determined by the board of trustees of the association, regardless of age."

Section 2. Effective date. [This act] is effective July 1, 2013.

- END -

I hereby certify that the within bill,
HB 0461, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2013.

President of the Senate

Signed this _____ day
of _____, 2013.

HOUSE BILL NO. 461

INTRODUCED BY LIESER, ANKNEY, B. BENNETT, COFFIN, CURTIS, GURSKY, POMNICHOWSKI,
STEENBERG, WHITFORD

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