

SENATE BILL NO. 223

INTRODUCED BY R. ZINKE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PENSION BENEFIT PROVIDED BY THE
5 VOLUNTEER FIREFIGHTERS' COMPENSATION ACT; AMENDING SECTION 19-17-404, MCA; AND
6 PROVIDING AN EFFECTIVE DATE."

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

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10 **Section 1.** Section 19-17-404, MCA, is amended to read:

11 **"19-17-404. Amount of pension and disability benefits.** (1) Each eligible member must receive a
12 pension or disability benefit as provided in this section.

13 (2) (a) Except as provided in subsection (2)(c), the full pension benefit paid to eligible members is \$150
14 a month.

15 (b) A partial pension benefit is calculated by multiplying the full pension benefit in subsection (2)(a) by
16 a fraction, the numerator of which is the eligible member's years of service and the denominator of which is 20.

17 (c) ~~The Except as provided in subsection (5), the~~ full pension benefit of a member who continued to be
18 an active member after completing 20 years of service must be increased by \$7.50 a month for each additional
19 year of active service the member completed after 20 years of service, up to 30 total years of service.

20 (3) The disability benefit paid to an eligible member is calculated in the same manner as partial pension
21 benefits described in subsection (2)(b), except that the numerator may not be less than 10.

22 (4) If any fraudulent change or any inadvertent mistake in records results in any member, surviving
23 spouse, or dependent child receiving more or less than entitled to, then on the discovery of the error, the board
24 shall correct the error and adjust the payments to the member, surviving spouse, or dependent child in an
25 equitable manner.

26 ~~(5) (a) Subject to subsection (5)(b), the board may adopt rules to increase the pension benefit of a~~
27 ~~member who continued~~ CONTINUES to be an active A member after completing 30 years of CREDITED service MUST
28 BE INCREASED by \$7.50 per month for each additional year of CREDITED service after 30 years if the pension trust
29 fund is actuarially sound and the amortization period for any unfunded liabilities remains 20 years or less.

30 (b) A member does not have a contract right to any additional pension benefits received pursuant to

1 subsection (5)(a), and the ~~board may reduce a member's monthly benefit~~ MUST BE REDUCED to the amount
2 provided under subsection (2)(c) if the amortization period for the unfunded liabilities is greater than 20 years.

3 (C) THIS SUBSECTION (5) APPLIES ONLY TO MEMBERS WHO RETIRE AFTER [THE EFFECTIVE DATE OF THIS ACT]."

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5 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2011.

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