

1 HOUSE BILL NO. 461

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

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENSION BENEFIT AMOUNT THAT THE
6 BOARD OF TRUSTEES OF A FIRE DEPARTMENT RELIEF ASSOCIATION MAY SET FOR MEMBERS OF THE
7 ASSOCIATION WHO ARE VOLUNTEERS; AMENDING SECTION 19-18-602, MCA; AND PROVIDING AN
8 EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 19-18-602, MCA, is amended to read:

13 **"19-18-602. Service pension.** (1) Each association shall pay, out of its disability and pension fund, a
14 service pension to ~~each of its members~~ a member who elects to retire from active service after having completed
15 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
16 or partly paid and partly volunteer fire department of the city or town in which the association was formed. The
17 pension must be equal to one-half of the sum last received by the member as a monthly compensation, excluding
18 overtime and payments in lieu of sick leave and annual leave, for the member's services as an active member
19 of the fire department.

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

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

30 (b) In the case of volunteer firefighters, the pension may be set by the board of trustees of the

1 association, but may not exceed ~~\$225~~ \$500 ~~\$225~~ a month, EXCEPT THAT THE PENSION MAY BE SET BY THE BOARD
2 OF TRUSTEES OF AN ASSOCIATION AND A CITY AT AN AMOUNT NOT TO EXCEED \$300 A MONTH IF THE ASSOCIATION'S FUND
3 IS SOUNDLY FUNDED, AS PROVIDED IN 19-18-503.

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

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

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

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