

1 **FIREFIGHTERS' DISABILITY RETIREMENT BENEFIT**

2 **AMENDMENTS**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Karen Mayne**

6 House Sponsor: Daniel McCay

7

8 **LONG TITLE**

9 **Committee Note:**

10 The Retirement and Independent Entities Interim Committee recommended this bill.

11 **General Description:**

12 This bill modifies the Utah State Retirement and Insurance Benefit Act by amending
13 provisions relating to firefighter disability benefits.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ provides and amends definitions;
- 17 ▶ modifies the standard for determining a disability for members of the Firefighters'

18 Retirement System; ~~H→~~ **and**

19 [~~→~~ ~~modifies the disability payment period for certain Firefighters' Retirement System~~
20 ~~disability payments; and~~] ~~←H~~

- 21 ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill provides a special effective date.

26 **Utah Code Sections Affected:**

27 AMENDS:



121 and funded training exercise that involves difficult, stressful, or vigorous physical activity.

122 ~~[(10)]~~ (11) "System" means the Firefighters' Retirement System created under this
123 chapter.

124 ~~[(11)]~~ (12) (a) "Volunteer firefighter" means any individual that is not regularly
125 employed as a firefighter service employee, but who:

126 (i) has been trained in firefighter techniques and skills;

127 (ii) continues to receive regular firefighter training; and

128 (iii) is on the rolls of a legally organized volunteer fire department which provides
129 ongoing training and serves a political subdivision of the state.

130 (b) An individual that volunteers assistance but does not meet the requirements of
131 Subsection ~~[(11)]~~ (12)(a) is not a volunteer firefighter for purposes of this chapter.

132 ~~[(12)]~~ (13) "Years of service credit" means the number of periods, each to consist of 12
133 full months as determined by the board, whether consecutive or not, during which a firefighter
134 service employee was employed by a participating employer or received full-time pay while on
135 sick leave, including any time the firefighter service employee was absent in the service of the
136 United States on military duty.

137 Section 2. Section **49-16-601** is amended to read:

138 **49-16-601. Disability benefit -- Nonline-of-duty disability -- Benefits -- Monthly**
139 **allowance.**

140 (1) An active member of this system ~~[who is unable to perform firefighter service due~~
141 ~~to a physical or mental condition]~~ with a disability that was not incurred in the line-of-duty may
142 apply to the office for a disability retirement benefit subject to the following provisions:

143 (a) if the member has less than five years of service credit in this system, disability
144 benefits are not payable; and

145 (b) if the condition is classified by the office as a nonline-of-duty disability and if the
146 member has five or more years of service credit in this system, the member shall be granted a
147 disability retirement benefit subject to Section 49-16-602 ~~Ĥ~~→ [, that is payable for 24 months or
147a until

148 the date the firefighter becomes eligible for a service retirement, whichever occurs first] ←Ĥ .

149 (2) The monthly disability retirement benefit is 50% of the member's final average
150 monthly salary.

151 Section 3. Section **49-16-601.5** is amended to read: