

### **Approved Ancillary Benefit Language**

**Current Minn. Stat. § 424A.001, subd. 9(2):**

(2) with respect to any relief association, no ancillary benefit paid or payable to any member, to any former member, or to any person on behalf of any member or former member, may exceed in amount the total earned service pension of the member or former member. The total earned service pension must be calculated using the service pension amount specified in the bylaws of the relief association and the years of service credited to the member or former member. The years of service must be determined as of (i) the date the member or former member became entitled to the ancillary benefit; or (ii) the date the member or former member died entitling a survivor or the estate of the member or former member to an ancillary benefit. The ancillary benefit must be calculated (i) without regard to whether the member or former member had attained the minimum amount of service and membership credit specified in the governing bylaws; and (ii) without regard to the percentage amounts specified in subdivision 2; except that the bylaws of any relief association may provide for payment of a survivor benefit in an amount not to exceed five times the yearly service pension amount specified by the bylaws on behalf of any member who dies before having performed five years of active service in the fire department with which the relief association is affiliated.

**Approved:**

**Addition to Definitions section:** (New)

Minn. Stat. § 424A.001, subd. 1a. **Ancillary Benefit.** “Ancillary benefit” means a benefit other than a service pension that is permitted by law and that is provided for in the relief association bylaws.

**Approved:**

**Changes to Minn. Stat. § 424A.02, subd. 9(2):**

(2) with respect to any relief association, no ancillary benefit paid or payable to any member, to any former member, or to any person on behalf of any member or former member, may exceed in amount the total earned service

pension of the member or former member. The total earned service pension must be calculated ~~using~~ by multiplying the service pension amount specified in the bylaws of the relief association at the time of death or disability ~~and~~ by the years of service credited to the member or former member. The years of service must be determined as of (i) the date the member or former member became entitled to the ancillary benefit; or (ii) the date the member or former member died entitling a survivor or the estate of the member or former member to an ancillary benefit. The ancillary benefit must be calculated ~~(i) without regard to whether the member or former member had attained the minimum amount of service and membership credit specified in the governing bylaws.; and (ii) without regard to the percentage amounts specified in subdivision 2;~~ For active members, the amount of a permanent disability benefit or a survivor benefit must be equal to the member's total earned service pension; except that the bylaws of any relief association may provide for payment of a minimum survivor benefit in an amount not to exceed five times the yearly service pension amount specified by the bylaws on behalf of any member who dies before having performed five years of active service in the fire department with which the relief association is affiliated.