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TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203] (Division 1 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 4.5. Volunteer Firefighters Length of Service Award Act [50950 - 50979] (Chapter 4.5 repealed (in Sec. 3) and added by Stats. 2007, Ch. 651, Sec. 2.)

ARTICLE 1. General Provisions [50950 - 50952] (Article 1 added by Stats. 2007, Ch. 651, Sec. 2.)

50950. The Legislature finds and declares all of the following:

- (a) The Volunteer Firefighters Length of Service Award System is not a retirement system but an incentive program for volunteer firefighters.
- (b) The purpose of the award system can be achieved more efficiently and at a lower cost than the current program by transferring the award system and responsibility for administering that system from the Board of Administration of the Public Employees' Retirement System to the board of the California State Fire Employees Welfare Benefit Corporation.
- (c) On and after the date of the transfer or termination of the award system, the Board of Administration of the Public Employees' Retirement System shall have no responsibility to administer the award system and shall take no action related to past, present, or future obligations of administering the system. On and after the date of the transfer or termination of the award system, the Board of Administration of the Public Employees' Retirement System shall have no liability related to the administration of the award system.
- (d) Because trust fund moneys in the award system are to be used for the exclusive benefit of the participants in the award system, the Board of Administration of the Public Employees' Retirement System shall not pay or transfer any trust fund moneys related to any claims, demands, actions, damages, judgments, costs, charges, and expenses, including, but not limited to, court costs and attorney's fees, regarding claims arising out of or incurred as a result of the transfer of the award system. However, nothing in this chapter shall prevent the Board of Administration of the Public Employees' Retirement System from charging and receiving administrative fees in connection with transferring the administration of the award system from the Board of Administration of the Public Employees' Retirement System to the board of the California State Fire Employees Welfare Benefit Corporation.
- (e) It is the intent of the Legislature that the Board of Administration of the Public Employees' Retirement System and the board of the California State Fire Employees Welfare Benefit Corporation work cooperatively with each other to transfer the administration of the award system and establish systems and accounts necessary to transfer participant information, assets, and liabilities regarding the award system.
- (f) The purpose of this chapter is to provide cities, counties, cities and counties, or districts, that have fire departments with volunteer firefighting members, the opportunity to offer these members an award for life as an incentive. Nothing contained in this chapter shall be deemed to supersede the provisions of existing state law and the charters, ordinances, and rules of local public agencies that establish and regulate the activities of these fire departments. This chapter is intended, instead, to strengthen these departments through the creation of an incentive for the volunteer to respond to emergency calls and attend official department training drills and meetings. It is the further intention of this chapter to provide a means for local communities to bestow fitting reward and recognition for long and faithful volunteer service.

(Repealed and added by Stats. 2007, Ch. 651, Sec. 2. Effective January 1, 2008. Operative March 1, 2008, by Section 50979.)

50951. (a) This chapter establishes the Volunteer Firefighters Length of Service Award System and may be cited as the Volunteer Firefighters Length of Service Award Act.

(b) Notwithstanding any other contrary law, enrollment for an award shall not be construed as a retirement, the receipt of an award shall not be construed as the receipt of a retirement allowance or benefit, and service credited under the Volunteer Firefighters

Length of Service Award System shall not be construed as service credited to a retirement system for purposes of duplicating service credit or benefits in other public retirement systems.

(Repealed and added by Stats. 2007, Ch. 651, Sec. 2. Effective January 1, 2008. Operative March 1, 2008, by Section 50979.)

50952. For the purposes of this chapter, unless the context otherwise requires, the definitions set forth below shall mean the following:

- (a) "Actuarial interest rate" means the interest rate fixed by the board for purposes of actuarial valuation of the assets and liabilities of the award system.
- (b) "Annual interest rate" means the interest rate fixed by the board for purposes of crediting interest.
- (c) "Award" means monthly payments for life derived from contributions by a department.
- (d) "Award recipient" means a former member who satisfied all the requirements as determined by the board to be eligible to receive an award, and is receiving an award.
- (e) "Award system" means the Volunteer Firefighters Length of Service Award System established by this chapter.
- (f) "Board" means the board of the California State Fire Employees Welfare Benefit Corporation.
- (g) "Certified prior service credit" means credit for service performed prior to the contract operative date as certified by a qualifications review commission. That prior service shall be credited in the award system to the extent that prior service qualifies as certified service credit pursuant to the rules and regulations established by the board.
- (h) "Certified service credit" means credit certified pursuant to Section 50960 for services rendered by a member.
- (i) "Contract operative date" means the first day of the month next following the date on which the contract becomes effective.
- (j) "Custodian of the fund" means a financial institution or other entity that qualifies under the laws of this state to act as a trustee of and establish a trust described in Internal Revenue Service Revenue Procedure 92-64.
- (k) "Department" means any of the following:
 - (1) A regularly organized fire department of a city, county, city and county, or district having official recognition of the government of the city, county, city and county, or district in which the department is located.
 - (2) A regularly organized fire department of an unincorporated town.
- (l) "Fund" means an account or trust described in Internal Revenue Service Revenue Procedure 92-64, which is maintained by the custodian of the fund.
- (m) "Member" means a volunteer of a department, the governing body of which has contracted with the board under this chapter, and who has been certified by a qualifications review commission as having satisfied all the requirements for membership as set established by the board. Membership, once established, continues indefinitely until the award system is terminated and the funds disbursed pursuant to 50974.
- (n) "Service credit" means the aggregate of certified service credit.
- (o) "Service year" means the period beginning July 1 and ending June 30 of the following year.
- (p) "Volunteer" means a person registered as a volunteer member of a regularly organized fire department as defined in subdivision (k).

(Repealed and added by Stats. 2007, Ch. 651, Sec. 2. Effective January 1, 2008. Operative March 1, 2008, by Section 50979.)