

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 186**  
**SENATE BILL 1186**

AN ACT

AMENDING SECTION 9-958, ARIZONA REVISED STATUTES; RELATING TO THE FIRE FIGHTERS' RELIEF AND PENSION FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-958, Arizona Revised Statutes, is amended to  
3 read:

4 9-958. Election to transfer excess assets from fire fighters'  
5 relief and pension fund; public safety personnel  
6 retirement system; alternate pension and benefit  
7 plan; unfunded liability

8 A. Notwithstanding any other law, if a fire district that is  
9 organized pursuant to section 48-803 and that has at least five full-time  
10 firefighters, excluding firefighters employed by the fire district  
11 pursuant to a contract with a corporation, elects to provide coverage to  
12 its full-time firefighters under the public safety personnel retirement  
13 system pursuant to section 38-851, the amount of monies accumulated  
14 pursuant to this article that is in excess of the amount necessary to  
15 provide benefits for volunteer firefighters may be transferred to the  
16 public safety personnel retirement fund for the purposes of paying any  
17 past, present or future service costs of the district attributable to the  
18 full-time firefighters who are included in the public safety personnel  
19 retirement system either at the time the fire district executes the  
20 joinder agreement with the system or thereafter. Before transferring any  
21 monies to the public safety personnel retirement fund, the fire district  
22 board shall determine by actuarial procedures prescribed by the manager of  
23 the fire fighters' relief and pension fund the amount necessary to fully  
24 fund any benefits accrued for volunteer firefighters as of the date or  
25 dates of the proposed transfer of monies authorized by this ~~section~~  
26 **SUBSECTION.**

27 B. Excess monies in the fire fighters' relief and pension fund that  
28 a fire district elects to transfer to the public safety personnel  
29 retirement fund pursuant to subsection A of this section may be  
30 transferred in a lump sum at the time the fire district executes its  
31 joinder agreement with the public safety personnel retirement system or  
32 may be transferred in installments or in any other manner allowed by the  
33 fund manager of the public safety personnel retirement system.

34 C. If a fire district has monies in the fire fighters' relief and  
35 pension fund in excess of the amount necessary to provide benefits for  
36 volunteer firefighters and the fire district has not made an election to  
37 cover its full-time firefighters under the public safety personnel  
38 retirement system pursuant to section 38-851 and subsection A of this  
39 section, that fire district may apply the excess monies to an alternate  
40 pension and benefit plan established pursuant to article 4 of this chapter  
41 by that district for the benefit of either its part-time or full-time  
42 firefighters, or both. The amounts that may be transferred to the  
43 alternate pension and benefit plan shall be determined in the same manner  
44 as set forth in subsection A of this section.

1           D. NOTWITHSTANDING ANY OTHER LAW, A CITY OR TOWN THAT MAINTAINS A  
2 FIRE FIGHTERS' RELIEF AND PENSION FUND FOR PAST OR PRESENT VOLUNTEER  
3 FIREFIGHTERS, OR BOTH, OR PAST OR PRESENT PART-TIME FIREFIGHTERS, OR BOTH,  
4 MAY ELECT TO TRANSFER EXCESS MONIES FROM THE FUND TO THE PUBLIC SAFETY  
5 PERSONNEL RETIREMENT SYSTEM TO BE APPLIED TO ANY PAST OR PRESENT UNFUNDED  
6 LIABILITY. BEFORE TRANSFERRING ANY MONIES TO THE PUBLIC SAFETY PERSONNEL  
7 RETIREMENT SYSTEM, THE CITY OR TOWN SHALL DETERMINE BY ACTUARIAL  
8 PROCEDURES PRESCRIBED BY THE FIRE FIGHTERS' RELIEF AND PENSION FUND BOARD  
9 OF TRUSTEES THE AMOUNT NECESSARY TO FULLY FUND ANY BENEFITS ACCRUED FOR  
10 PART-TIME OR VOLUNTEER FIREFIGHTERS AS OF THE DATE OR DATES OF THE  
11 PROPOSED TRANSFER OF MONIES AUTHORIZED BY THIS SUBSECTION.

APPROVED BY THE GOVERNOR MAY 7, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2019.