§ 219. Requirements and benefits under a defined benefit plan service award program. (a) An active volunteer firefighter's service award program that is a defined benefit plan shall be subject to minimum and maximum retirement benefit requirements as set forth in subdivision (b) of this section. In determining whether such minimum and maximum benefit requirements have been satisfied, all benefits provided under all service award programs instituted by a sponsor shall be considered as one program.

(b) The minimum and maximum retirement benefit requirements for a service award program that is a defined benefit plan shall be defined as follows. Each participating active volunteer firefighter shall be entitled to a minimum service award benefit of five dollars per month for each year of firefighting service completed after satisfying the program's eligibility requirement and after establishment of the program. The maximum benefit amount payable to a participating active volunteer firefighter entitled to a benefit shall be determined on the basis of an actuarial valuation. The valuation shall take into account the age, and such other factors as the actuary deems appropriate, of the eligible participating active volunteer firefighters and the amount of available financing available per active covered volunteer firefighter. The maximum service award under a service award program shall be a monthly payment, payable for life, that does not exceed an amount equal to thirty dollars for each year of firefighting service credited under the terms of the program to a maximum of forty years of firefighting service. The governing board of a political subdivision may extend the maximum number of years of service for which a participant may receive a contribution for up to an additional ten years, to a maximum of fifty years, and such increases in the number of years may be added in multiple increments or in a single action, pursuant to the adoption of the required resolution or resolutions of the governing board, receiving the affirmative vote of at least sixty percent of the governing board of the political subdivision, and the approval of any mandatory referendum or referenda authorizing the extension of benefits under the program by eligible voters within such political subdivision.

(c) No benefit payments may be made under any service award program that is a defined benefit plan until the tenth anniversary of the establishment of the service award program. The foregoing sentence shall

not preclude a service award program from providing for additional benefit payments after the tenth anniversary of the establishment of the service award program to reflect the fact that the payment of benefits could not commence until that date.

Notwithstanding the preceding paragraph, if a program sponsor has been authorized pursuant to section two hundred sixteen or two hundred sixteen-a of this article to provide benefits prior to the tenth anniversary of the establishment of the service award program, it may provide for the payment of service awards from the date of establishment of the service award program or from such other date as is set forth in the authorization.

(d) The governing board shall engage the services of an actuary for the purpose of determining the annual amount required to be contributed to a defined benefit service award program, which amount shall be based on the interest and mortality tables or other appropriate assumptions and methods selected by actuary. The sum so determined shall be appropriated annually by the political subdivision. The governing board may also retain an actuary to provide advice with respect to any other aspect of the program.

(e) In the event that any active volunteer firefighter becomes disabled and in the event that the disability prevents the active volunteer firefighter from pursuing such volunteer's normal occupation and if the disability is total and of a permanent nature as certified by the workers' compensation board or other competent authority as approved by the program sponsor, the volunteer firefighter is entitled to receive the benefits described in this section, regardless of age or length of service. Such benefits shall begin on the first day of the first month following the establishment of such disability.

At the option of the sponsor of the service award program, if the active volunteer firefighter becomes disabled during the course of service as a volunteer while actively engaged in providing line of duty services as defined in subdivision one of section five of the volunteer firefighters' benefit law, an additional disability benefit may be authorized. Additional disability benefit shall be equal to the amount of additional benefits that the volunteer firefighter would have been

entitled to had he continued to earn years of firefighting service through his entitlement age if the rate of benefits being provided under the service award program at the time of disability continued to be provided through the entitlement age.

(f) A volunteer firefighter's retirement income plan may provide that, in the event of the death of an active volunteer firefighter who has a right to a nonforfeitable percentage of retirement income pursuant to subdivision (b) of this section, the designated beneficiaries of such active volunteer firefighter (or his estate if no beneficiary is so designated) shall be entitled to receive death benefits under the service award plan. Such death benefits shall be payable in the form of a lump sum amount designated by the sponsor as payable at death or a percentage of the retirement benefits otherwise payable. Such benefits shall be equal to the amount of benefits earned by the volunteer firefighter under the plan at the date of death.

At the option of the sponsor of the service award program, if the active volunteer firefighter dies during the course of service as a volunteer while actively engaged in providing line of duty services, as defined in subdivision one of section five of the volunteer firefighters' benefit law, additional death benefits may be provided.

(g) In the case of a state-administered service award program, a service award shall be paid only after an application is made to the program administrator and the administrator approves the application.