

**95A.250 Supplemental payments and pension contributions to local governments, the Kentucky Community and Technical College Systems, and the Department of Military Affairs from fund.**

- (1)
  - (a) Beginning July 1, 1982, an eligible local government shall be entitled to receive annually a supplement of two thousand seven hundred fifty dollars (\$2,750) for each qualified professional firefighter it employs, and beginning on July 1, 1999, an annual supplement of three thousand dollars (\$3,000) for each qualified professional firefighter it employs, plus an amount equal to the required employer's contribution on the supplement to the defined benefit pension plan, or to a plan qualified under Section 401(a) or Section 457 of the Internal Revenue Code of 1954 as amended.
  - (b) The employer's contribution to any of these plans on the supplement shall not exceed the required employer's contribution to the County Employees Retirement System pursuant to KRS Chapter 78 for the hazardous duty category. The pension contribution on the supplement shall be paid whether the professional firefighter entered the system under hazardous duty coverage or nonhazardous coverage.
  - (c) The local unit of government shall pay the amount received for retirement coverage to the appropriate retirement system to cover the required employer contribution on the supplement.
  - (d) Should the foundation program funds be insufficient to pay employer contributions to the system, then the total amount available for pension payments shall be prorated to each eligible government so that each receives the same percentage of required pension costs attributable to the supplement.
- (2)
  - (a) Each qualified professional firefighter, whose local government receives a supplement pursuant to subsection (1)(a) of this section, shall receive distribution of the supplement from that local government in twelve (12) equal monthly installments with his or her pay for the last pay period of each month. The monthly distribution shall be calculated by dividing the supplement amount set forth in subsection (1)(a) of this section by twelve (12).
  - (b) The supplement disbursed to a qualified professional firefighter pursuant to this section shall not be considered "wages" as defined by KRS 337.010(1)(c)1. and shall not be included in the hourly wage rate for calculation of overtime pursuant to KRS 337.285 for scheduled overtime. The supplement shall be included in the hourly wage rates for calculation of overtime for unscheduled overtime pursuant to KRS 337.285.
  - (c) To determine the addition to the hourly wage rate for calculation of overtime on unscheduled overtime, the annual supplement shall be divided by two thousand eighty (2,080). The overtime rate for unscheduled overtime shall be calculated by adding the quotient, which is the amount of the annual supplement divided by two thousand eighty (2,080), to the hourly wage rate and multiplying the total by one and one-half (1.5). The enhanced overtime rate shall be paid only for unscheduled overtime. Scheduled overtime shall be

paid at one and one-half (1.5) times the regular hourly wage rate, excluding the supplement.

(3) Beginning July 1, 2006:

- (a) The Kentucky Community and Technical College System shall be entitled to receive annually a supplement equal to the amount determined in subsection (1) of this section for each Kentucky fire and rescue training coordinator employed by the Kentucky Community and Technical College System who meets the qualifications for individual firefighters required in KRS 95A.230, plus an amount equal to the required employer's contribution on the supplement to the defined benefit pension plan; and
- (b) The Department of Military Affairs shall be entitled to receive annually a supplement equal to the amount determined in subsection (1) of this section for each civilian firefighter employed by the Department of Military Affairs who meets the qualifications for individual firefighters required in KRS 95A.230, plus an amount equal to the required employer's contribution on the supplement to the defined benefit pension plan.

Each fire and rescue training coordinator employed by the Kentucky Community and Technical College System and each civilian firefighter employed by the Department of Military Affairs, whose employer receives a supplement pursuant to this subsection, shall receive distribution from that employer of the supplement which his or her qualifications brought to the employer. The supplement distributed shall be in addition to his or her regular salary.

**Effective:** March 20, 2009

**History:** Amended 2009 Ky. Acts ch. 33, sec. 2, effective March 20, 2009. -- Amended 2006 Ky. Acts ch. 113, sec. 1, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 244, sec. 4, effective July 15, 1998; and ch. 510, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 339, sec. 1, effective July 15, 1996. -- Amended 1988 Ky. Acts ch. 11, sec. 15, effective July 15, 1988; and ch. 366, sec. 3, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 246, sec. 6, effective July 1, 1982. -- Created 1980 Ky. Acts ch. 373, sec. 6, effective July 15, 1980.

**2010-2012 Budget Reference.** See State/Executive Branch Budget, 2010 (1st Extra. Sess.) Ky. Acts ch. 1, Pt. I, K, 11, (1) at 53.