

## Merging FRAs

When a firefighters relief association fails to qualify for payments under the Firefighters Relief Act as a result of the territory which it serves being consolidated, merged or annexed with another governmental unit having a qualified firefighters relief association, the funds and obligations of such disqualified association shall be transferred to the surviving firefighters relief association and the disqualified association shall dissolve forthwith under the existing laws of this state (K.S.A. 40-1706(e)).

FRAs may not merge unless there is a consolidation of the corresponding fire districts. Procedures to merge two or more FRAs:

- The attorney(s) for the governing bodies will determine whether the FRAs should merge or if one should transfer funds and obligations to the other FRA and then dissolve.
- In either case, appropriate legal documents must be approved by the Kansas Insurance Department and filed with the Secretary of State.
- In addition, the Kansas Insurance Department needs a map of the new district showing the boundaries and location of the fire station(s).
- Evidence of the fund transfer is to be forwarded to the Kansas Insurance Department.
- Any member of either association becomes a member of the new or surviving association and maintains his/her service time when transferring.
- Changes to bylaws are to be submitted to the Kansas Insurance Department.
- Updated Electronic Deposit and W-9 forms should be submitted to the Kansas Insurance Department.

It's important to know that FRAs that consolidate into a surviving FRA by dissolving will not be entitled to any distribution money as former FRAs. This is true for any FRAs that are dissolving and creating a new FRA. Once the FRAs have been dissolved and a new FRA has been created, the newly created FRA will miss out on the current year's distribution if it is done prior to the annual distribution. If any dissolutions of FRAs are done after the distribution whether it's due to a merger or consolidation, then those FRAs will be entitled to one more distribution as their former named FRA. The annual distribution usually happens in the third week of June. If you are in the process of merging or consolidating close to the month of June, please don't hesitate to reach out to the Program Specialist for the Firefighter Relief Fund.

When any firefighter, the spouse of such firefighter or those dependent upon any member of a disqualified association is receiving reasonable benefits from such association at the time of disqualification, the benefits shall be continued in accordance with the resolution of such disqualified association and shall be paid by the surviving association if the disqualification resulted from consolidation, merger or annexation and shall be paid by the district or county attorney if disqualification resulted from reasons other than consolidation, merger, or annexation. Nothing in the Firefighters Relief Act shall be construed as a bar to the lawful receipt of such benefits (K.S.A. 40-1706(f)).