

DEATH BENEFITS

Nonoccupational and occupational death benefits are designed to provide some financial security to survivors when members die. Your beneficiary designation may determine who receives your death benefit.

Nonoccupational Death Before Retirement

When a member dies from nonoccupational causes before retiring, the spouse, qualified same-sex partner, or other eligible beneficiary is entitled to the death benefit described below.

Nonvested Member Death Benefits

For members with less than one year of PERS service the death benefit is:

- The balance of the employee contribution account, which includes mandatory contributions, voluntary contributions, indebtedness principal and interest payments, and interest credited to the account.

For members with at least one year of PERS service, but before becoming vested, the death benefit is the sum of:

- The balance of the employee contribution account, which includes mandatory contributions, voluntary contributions, indebtedness principal and interest payments, and interest credited to the account; and
- A lump-sum death benefit of \$1,000 plus \$100 times the years of credited service.

Vested Member Death Benefits

For a member vested in the PERS, the death benefit is:



- The nonvested member death benefits described in the previous section for members with at least one year of service; or
- A monthly 50% joint and survivor benefit.

The spouse must have been married to the member for at least one year to be eligible to receive the 50% joint and survivor benefit. A qualified same-sex partner must have been in an exclusive, committed relationship with the member for at least one year to be eligible for this benefit. If the death is accidental or occupational, then the one-year requirement does not apply.

If someone other than the spouse or qualified same-sex partner is the designated beneficiary, that person will receive the nonvested member death benefits described in the previous section for members with at least one year of service.

The 50% joint and survivor benefit will be calculated on the member's average monthly compensation and years of PERS credited service at the time of death.

Occupational Death

When a member dies from occupational causes before retirement or while receiving occupational disability benefits, the spouse, qualified same-sex partner, or other eligible

beneficiary is entitled to the death benefit described in this section.

The member does not have to be vested to qualify for occupational death benefits.

The spouse is automatically the designated beneficiary provided that the spouse was married to the member during part of the member's employment and a waiver of benefits was not received by the Division. If there is no surviving spouse, but there is a surviving qualified same-sex partner, the partner

EXCEPTION

The pension amount payable to survivors of members who first entered the PERS before July 1, 1976, will depend on the date the member first entered the PERS and whether they were classified as "peace officer or fire fighter" or "all other" members. These survivors will be allowed to choose whether they want to receive benefits under the current law or old law.

will receive the monthly survivor's pension. If there is no surviving spouse or qualified same-sex partner, but the member has dependent children, the monthly survivor's pension will be divided equally among those children.

The monthly survivor's pension is equal to 40% of the member's gross salary at the time of death or termination of employment because of occupational disability.

For a peace officer or fire fighter, the monthly survivor's pension is the greater of 50% of the gross salary or 75% of the normal retirement benefit they would have earned when they retired.

Death Benefit Payments

Benefits accrue from the first day of the month following the member's death and are payable at the end of the month.

For a nonoccupational death, monthly death benefits cease when the spouse or qualified same-sex partner dies.

For an occupational death, benefits stop when there is no longer a surviving spouse, qualified same-sex partner, or eligible dependent child.

Death Benefits for Retired Members

When a member dies after retiring, the beneficiary is entitled to the benefit check for the month in which the member dies.

However, a check payable to a deceased member must be returned to the Division and reissued in the beneficiary's name. It is illegal to cash a deceased member's check.

If the member selected a joint and survivor option at retirement, then the spouse or qualified same-sex partner at the time of retirement will receive the continuing benefit.

If the member did not select a joint and survivor option, then the beneficiary will receive the balance remaining in the employee contribution account, if any.

