



House of Representatives

General Assembly

File No. 145

February Session, 2000

House Bill No. 5188

House of Representatives, March 21, 2000

The Committee on Public Safety reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning The Monthly Allowance For The Surviving Spouse Of A Member Of The Division Of State Police.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 5-146 of the general statutes is repealed and the following is
2 substituted in lieu thereof:

3 (a) If any member of the Division of State Police within the
4 Department of Public Safety in employment on June 21, 1961, who has
5 elected survivors' benefits, or any state police officer who commenced
6 employment subsequent to June 21, 1961, and who in either event was
7 not subject to the federal Insurance Contributions Act for such
8 employment, dies from any cause before retirement from state service,
9 leaving a surviving spouse or dependent unmarried children under
10 the age of eighteen years, there shall be paid survivors' allowances
11 from the State Employees Retirement Fund on and after July 1, 1982,
12 on the following basis: (1) To the surviving spouse, a monthly
13 allowance of five hundred fifty dollars commencing immediately upon

14 the death of such member of the Division of State Police within the
15 Department of Public Safety payable for the surviving spouse's lifetime
16 or until subsequent remarriage; (2) if there are less than three
17 surviving dependent children, a monthly allowance of two hundred
18 fifty dollars per child payable to the surviving spouse or other
19 guardian until each child reaches the age of eighteen or until the
20 child's marriage if such occurs earlier; (3) if there are three or more
21 surviving dependent children, a monthly allowance of five hundred
22 seventy-five dollars to be divided equally among all the dependent
23 children; as each such dependent child reaches the age of eighteen
24 years, or marries, if such occurs earlier, that child's share shall be
25 deemed divided equally among the remaining surviving children,
26 provided each child's share shall not exceed two hundred fifty dollars;
27 when the shares of all but one of such surviving children have ceased,
28 the pension to the remaining surviving child shall be two hundred fifty
29 dollars.

30 (b) On July 1, 2001, and on July first of each subsequent year, any
31 person who is eligible for the survivors' allowance under subsection (a)
32 of this section shall be entitled, in addition to such survivors'
33 allowance, to an annual cost-of-living allowance which reflects the
34 increase, if any, in the national consumer price index for urban wage
35 earners and clerical workers for the previous twelve-month period,
36 provided such cost-of-living allowance shall not exceed three per cent.
37 Such cost-of-living allowance shall be computed on the basis of the
38 combined survivors' allowance and cost-of-living allowances, if any, to
39 which such person was entitled as of the June thirtieth immediately
40 preceding.

41 [(b)] (c) Notwithstanding the provisions of [subsection (a)]
42 subsections (a) and (b) of this section, survivors' allowances may be
43 paid from the State Employees Retirement Fund in such amounts and
44 commencing on such dates as may conform to the terms of any
45 prevailing collective bargaining agreement effective on or after July 1,

46 1979, between the state and the employees' representative for state
47 police officers. If survivors' allowances are paid in conformance with
48 any such agreement, each person eligible for survivors' benefits under
49 the terms of this section shall be paid such allowances.

50 [(c)] (d) The Retirement Commission shall, at least once every two
51 years, prepare a valuation of the assets and liabilities of the fund with
52 respect to the system of benefits provided by this section and sections
53 5-147 to 5-151, inclusive. Such valuation shall be prepared for the
54 purpose of determining the cost of funding such system and the cost of
55 funding such system on an actuarial reserve basis.

PS Committee Vote: Yea 22 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Future Cost

Affected Agencies: Office of the State Comptroller

Municipal Impact: None

Explanation

State Impact:

The bill provides an annual cost of living allowance (COLA) to the surviving spouses and dependents of certain Tier I state police officers payable from the State Employees Retirement Fund (SERF), beginning July 1, 2001. Based upon information from the Employee Benefits Division of the State Comptroller, the COLA provision is expected to increase the state's contribution to SERF by approximately \$500,000, annually.

OLR Bill Analysis

HB 5188

AN ACT CONCERNING THE MONTHLY ALLOWANCE FOR THE SURVIVING SPOUSE OF A MEMBER OF THE DIVISION OF STATE POLICE.**SUMMARY:**

This bill establishes an annual cost of living allowance (COLA) for surviving dependents of certain state police officers. The COLA is payable every July, beginning July 1, 2001. It must reflect the annual increase in the national Consumer Price Index for urban wage earners and clerical workers, but it cannot exceed 3%. It must be based on the combined survivors' allowance and any COLAs to which the person was entitled on the previous June 30.

EFFECTIVE DATE: October 1, 2000

ELIGIBLE SURVIVING DEPENDENTS

Current law requires the State Employees Retirement System (SERS) to pay a monthly benefit to the surviving spouse and unmarried children under age 18 of state police officers who die before retiring and who (1) were employed on June 21, 1961 and had elected survivors' benefits or (2) were hired after that date and did not participate in Social Security (and whose dependents are therefore ineligible for Social Security survivors' benefits). The bill establishes an annual COLA for these survivors.

BACKGROUND

SERS monthly benefits consist of (1) \$550 for the surviving spouse until death or remarriage and (2) \$250 for each child if less than three children survive and if three or more survive, \$575 divided equally among them. When a child reaches age 18, his share is divided among the others, and when only two eligible children remain, each receives \$250. Benefits for surviving children end when they reach age 18 or marry.

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Report
Yea 22 Nay 0