



General Assembly

February Session, 2006

Raised Bill No. 5552

LCO No. 1888

01888 _____ LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING RETIREMENT BENEFIT OPTIONS FOR SPOUSES OF CERTAIN DECEASED STATE EMPLOYEES.

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

1 Section 1. Section 5-165a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) If a member who is continuing to accrue state service or who is
4 on a leave authorized by the state, or otherwise granted pursuant to
5 the terms of the appropriate collective bargaining agreement, dies after
6 July 1, 1982, and (1) after completion of the age and service
7 requirements for retirement under section 5-162, 5-163a, 5-173 or 5-188,
8 or (2) completing twenty-five years of service, [his] such member's
9 spouse, provided they have been lawfully married for at least the
10 twelve months preceding [his] such member's death, shall receive a
11 lifetime income in [an amount equal to fifty per cent of the average of]
12 the amount payable to a contingent annuitant under the options
13 specified in subdivision (2) or (3) of subsection (a) of section 5-165, as
14 amended, as elected by such spouse, based on the retirement income
15 that the member would have been entitled to if [he] such member had
16 retired [the day he died had his benefits been paid under the option

17 specified in subdivision (4) of subsection (a) of section 5-165 and the
18 retirement income that the member would have been entitled to if he
19 had retired the day he died and had his benefit been paid under the
20 option specified in subdivision (1) of said subsection] on the date of
21 death. The first payment shall be made as of the first day of the month
22 coincident with or, otherwise, next following [his] such member's date
23 of death. If such member was not eligible to retire at the time of [his]
24 death, such benefit shall be calculated as if [he] such member had
25 reached age fifty-five, but based on [his] such member's service and
26 final average earnings at [his] the date of death.

27 (b) If a member who has terminated with at least twenty-five years
28 of service or retired pursuant to section 5-162, 5-163a, 5-173 or 5-188,
29 but whose benefits in either event are not yet being paid, dies prior to
30 the commencing date of [his] such benefits, [his] such member's
31 spouse, provided they have been lawfully married for at least the
32 twelve months preceding [his] such member's death, shall receive a
33 lifetime income [equal to fifty per cent of the average of] in the amount
34 payable to a contingent annuitant under the options specified in
35 subdivision (2) or (3) of subsection (a) of section 5-165, as amended, as
36 elected by such spouse, based on the retirement income that the
37 member would have been entitled to if [his] such member's benefits
38 had commenced [the date he died had his benefit been paid under the
39 option specified in said subdivision (4) and the retirement income that
40 the member would have been entitled to with such benefits being paid
41 under the option specified in said subdivision (1)] on the date of death.
42 If such member was not eligible to retire at the time of [his] death, such
43 benefit shall be calculated as if [he] such member had reached age
44 fifty-five. The first payment shall be made as of the first day of the
45 month coincident with or, otherwise, next following [his] the date of
46 death.

47 (c) If a member who has completed the age and service
48 requirements for retirement under section 5-162, 5-163a, 5-173 or 5-188,
49 and who has elected to receive [his] retirement benefits under

50 subdivision (2) or (3) of subsection (a) of section 5-165, as amended,
51 dies prior to the effective date of commencement of benefits but within
52 ninety days after [he] such member first elects to receive [his]
53 retirement benefits under subdivision (2) or (3) of said subsection (a),
54 then [his] such member's beneficiary or contingent annuitant shall
55 receive an income in an amount equal to the benefit that would have
56 been payable to the survivor had the member retired [the day he died]
57 on the date of death and had [his] such benefit been paid under the
58 option [he had] such member elected at the time of [his] death. This
59 subsection shall not apply after ninety days after the date the member
60 first elects to receive [his benefit] benefits under subdivision (2) or (3)
61 of subsection (a) of section 5-165, as amended. In the event that income
62 payments to a surviving beneficiary or contingent annuitant are
63 payable under this subsection, such payments shall be in lieu of
64 payments under subsections (a) and (b) of this section.

65 Sec. 2. Section 5-192r of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective October 1, 2006*):

67 (a) If a member of tier II who is continuing to earn vesting service or
68 who is on a leave authorized by the state or otherwise granted
69 pursuant to the terms of the appropriate collective bargaining
70 agreement, dies after either (1) completion of the age and service
71 requirements for retirement under section 5-192l, 5-192m or 5-192n, or
72 (2) completion of twenty-five years of vesting service, [his] such
73 member's spouse, provided they have been lawfully married for at
74 least the twelve months preceding [his] such member's death, shall
75 receive a lifetime income in [an amount equal to fifty per cent of] the
76 amount payable to a contingent annuitant under the options specified
77 in subdivision (2) or (3) of subsection (a) of section 5-192q, as elected
78 by such spouse, based on the retirement income that the member
79 would have been entitled to if [he] such member had retired [the day
80 he died, and had his benefit been paid under the option specified in
81 subdivision (1) of subsection (a) of section 5-192q] on the date of death.
82 If such member was not eligible to retire at the time of [his] death, such

83 benefit shall be calculated as if [he] such member had reached age
84 fifty-five, but based on [his] such member's credited service and final
85 average earnings at [his] the date of death. The first payment shall be
86 made as of the first day of the month coincident with or, otherwise,
87 next following [his] the date of death.

88 (b) If a member who has either terminated with at least twenty-five
89 years of service or retired pursuant to section 5-192l, 5-192m or 5-192n,
90 but whose benefits in either event are being deferred, dies prior to the
91 commencement date of [his] such benefits, [his] such member's spouse,
92 provided they have been lawfully married for at least the twelve
93 months preceding [his] such member's death, shall receive a lifetime
94 income [equal to fifty per cent of] in the amount payable to a
95 contingent annuitant under the options specified in subdivision (2) or
96 (3) of subsection (a) of section 5-192q, as amended, as elected by such
97 spouse, based on the retirement income that the member would have
98 been entitled to if [his] such member's benefits had commenced [the
99 day he died, with such benefits being paid under the option specified
100 in subdivision (1) of subsection (a) of section 5-192q] on the date of
101 death. If such member had not reached age fifty-five at the date of [his]
102 death, such benefit shall be calculated as if [he] such member had
103 reached age fifty-five. The first payment shall be made as of the first
104 day of the month coincident with or, otherwise, next following [his]
105 the date of death.

106 (c) If a member who has completed the age and service
107 requirements for retirement under section 5-192l, 5-192m or 5-192n and
108 who has elected to receive [his] retirement benefits under subdivision
109 (2) or (3) of subsection (a) of section 5-192q, dies prior to the effective
110 date of commencement of benefits but within ninety days after [he]
111 such member first elects to receive [his] retirement benefits under
112 either of said subdivisions, then [his] such member's beneficiary or
113 contingent annuitant shall receive an income in an amount equal to the
114 benefit that would have been payable to the survivor had the member
115 retired [the day he died] on the date of death and had [his] such

116 member's benefit been paid under the option [he had] elected at the
117 time of [his] death. This subsection shall not apply after ninety days
118 after the date the member first elects to receive [his] such member's
119 benefit under either of said subdivisions. In the event that income
120 payments to a surviving beneficiary or contingent annuitant are
121 payable under this subsection, such payments shall be in lieu of
122 payments under subsections (a) and (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	5-165a
Sec. 2	<i>October 1, 2006</i>	5-192r

Statement of Purpose:

To allow spouses of state employees who die with twenty-five years of service to elect retirement benefits from among options.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]