

HOUSE BILL NO. 337

INTRODUCED BY MILES

BY REQUEST OF THE PUBLIC EMPLOYEES'
RETIREMENT BOARD

IN THE HOUSE

January 22, 1985	Introduced and referred to Committee on State Administration.
February 5, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 6, 1985	Second reading, do pass. Considered correctly engrossed.
February 7, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on State Administration.
March 12, 1985	Committee recommend bill be concurrred in. Report adopted.
March 14, 1985	Second reading, concurrred in.
March 16, 1985	Third reading, concurrred in. Ayes, 47; Noes, 0. Returned to House.

IN THE HOUSE

March 16, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING CERTAIN
 7 LIMITATIONS ON THE PAYMENT OF BENEFITS UPON THE DEATH OF A
 8 MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHOSE
 9 DEATH WAS KNOWINGLY, PURPOSELY, OR INTENTIONALLY CAUSED BY
 10 HIS BENEFICIARY; AMENDING SECTION 19-3-1204, MCA; AND
 11 PROVIDING AN IMMEDIATE EFFECTIVE DATE. "

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 NEW SECTION. Section 1. Limitations on payment of
 15 benefits if beneficiary causes member's death. (1) If a
 16 member's beneficiary is convicted of knowingly, purposely,
 17 or intentionally causing the member's death, the beneficiary
 18 is not entitled to receive benefits as the member's
 19 beneficiary, and, except as provided in subsection (2), the
 20 benefits must be payable as provided in 19-3-1302.

21 (2) In lieu of the payment of benefits as provided in
 22 subsection (1), the board may grant a survivorship allowance
 23 in the amount provided for in 19-3-1205 to the member's
 24 surviving next of kin other than the beneficiary who caused
 25 the member's death. Determination of the surviving next of

1 kin must be made according to the order provided in
 2 19-3-1302(2).

3 Section 2. Section 19-3-1204, MCA, is amended to read:
 4 "19-3-1204. Survivorship allowance elected by
 5 beneficiary. (1) A beneficiary eligible to receive a death
 6 benefit may elect, by written application, a survivorship
 7 allowance instead, if all of the following conditions are
 8 met:

9 (1)(a) The member on behalf of whom the death benefit
 10 is payable had completed 5 years of creditable service.

11 (2)(b) The beneficiary is a natural person of legal
 12 age.

13 (3)(c) The beneficiary elects the survivorship
 14 allowance within 90 days of receipt of notice from the board
 15 that he is eligible to receive the death benefit.

16 (2) The conditions listed in subsection (1) do not
 17 apply to a survivorship allowance granted under [section
 18 1]."

19 NEW SECTION. Section 3. Extension of authority. Any
 20 existing authority of the public employees' retirement board
 21 to make rules on the subject of the provisions of this act
 22 is extended to the provisions of this act.

23 NEW SECTION. Section 4. Codification instruction.
 24 Section 1 is intended to be codified as an integral part of
 25 Title 19, chapter 3, and the provisions of Title 19, chapter



LC 0734/01

1 3, apply to section 1.

2 NEW SECTION. Section 5. Effective date. This act is

3 effective on passage and approval.

-End-

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