

HOUSE BILL NO. 361

INTRODUCED BY MCCORMICK

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 concurrent in. Report adopted.
March 14, 1985	Second reading, concurred in.
March 16, 1985	Third reading, concurred 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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 2 INTRODUCTION BY McLennick
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 6 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING A MEMBER OF
 7 THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO DESIGNATE AS HIS
 8 BENEFICIARY A CHARITABLE ORGANIZATION OR A TRUST FOR THE
 9 BENEFIT OF A NATURAL LIVING PERSON; AMENDING SECTIONS
 10 19-3-1301 AND 19-3-1302, MCA; AND PROVIDING AN IMMEDIATE
 11 EFFECTIVE DATE."

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

14 Section 1. Section 19-3-1301, MCA, is amended to read:
 15 "19-3-1301. Designation of beneficiary. The
 16 beneficiaries of a member shall be such natural persons,
 17 charitable organizations, or trusts for the benefit of
 18 natural living persons as the member shall designate in the
 19 appropriate written application. A member may revoke such
 20 designation and name different beneficiaries by filing
 21 written notice with the board."

22 Section 2. Section 19-3-1302, MCA, is amended to read:
 23 "19-3-1302. Effect of no designation. (1) If no living
 24 beneficiary, existing charitable organization, or natural
 25 living person who is the beneficiary of a trust is

1 designated, the estate of the member shall be the
 2 beneficiary. If the estate would not be probated but for the
 3 amount due from the retirement system, all of the amount
 4 due, including retirement allowances accrued but not
 5 received prior to death, shall be paid directly, without
 6 probate, to the surviving next of kin of the deceased or the
 7 guardians of said survivor's estate, share and share alike.

8 (2) Payment shall be made in the same order in which
 9 the following groups are listed:

- 10 (a) husband or wife;
- 11 (b) children;
- 12 (c) father and mother;
- 13 (d) grandchildren;
- 14 (e) brothers and sisters; or
- 15 (f) nieces and nephews.

16 (3) No payment shall be made to persons included in
 17 any of said groups if at the date of payment there be living
 18 persons in any of the groups preceding it, as listed.
 19 Payment shall be made upon receipt from said persons of an
 20 affidavit, upon a form supplied by the retirement board,
 21 that there are no living individuals in the groups preceding
 22 it and that the estate of the deceased will not be probated.

23 (4) The payment shall be in full and complete
 24 discharge and acquittance of the board and system on account
 25 of said death."

INTRODUCED BILL

HB 361



1 NEW SECTION. Section 3. Extension of authority. Any
2 existing authority of the public employees' retirement board
3 to make rules on the subject of the provisions of this act
4 is extended to the provisions of this act.

5 NEW SECTION. Section 4. Effective date. This act is
6 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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THIRD READING
 HB 361

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