

GENERAL ASSEMBLY COMPENSATION COMMISSION

(c) Election to receive survivor allowance. Instead of the lump-sum death benefit payable under subsection (b) of this section, the member's surviving spouse or if the member is not survived by a spouse, the designated beneficiary may elect to receive a survivor allowance equal to one-half of the retirement allowance that would be payable to the member if the member were living and eligible to receive a retirement allowance. The Board of Trustees shall pay the survivor allowance:

(1) To the member's surviving spouse for life, commencing on the date of the member's death; or

(2) If there is no surviving spouse, to the designated beneficiary for life, commencing:

(i) On the member's death, if the designated beneficiary is then at least age 60;

(ii) On the designated beneficiary attaining age 60, if the designated beneficiary has not attained 60 years of age on the member's death; or

(iii) At any time after the designated beneficiary attains age 50 but before the designated beneficiary attains age 60, if the designated beneficiary makes the election set forth in subsection (d) of this section.

(d) Election to receive reduced survivor allowance.

(1) Instead of the survivor allowance payable to the designated beneficiary on attaining age 60, the designated beneficiary may elect to receive a reduced survivor allowance commencing at any time after the designated beneficiary attains age 50 if the designated beneficiary completes and submits an application for a reduced survivor allowance stating the date on which the designated beneficiary desires to receive the reduced survivor allowance.

(2) The reduced survivor allowance is an amount equal to one-half of the retirement allowance that would be payable to the member if the member were living and eligible to receive a retirement allowance, reduced by 0.5% for each month by which the designated beneficiary's age precedes the date the designated beneficiary attains age 60.

(e) Death benefit for minor children.

(1) This section applies only to a member who dies while serving as a legislator in the General Assembly.

(2) Except as provided in paragraph (3) of this subsection, the Board of Trustees shall pay the lump-sum death benefit payable under subsection (b) of this section, in equal shares to each child who has not attained the age of 18, if on the member's death, the member:

(i) Has a child or children under the age of 18 years; and