

**TITLE 1: GOVERNMENT**  
**DIVISION 8: PUBLIC EMPLOYMENT**

**§ 8349. Benefits: Death After Retirement Without Survivor Benefits.**

Upon death of a member while in receipt of a service retirement annuity or disability retirement annuity, leaving no person entitled to survivor annuities as provided herein, the following shall be payable:

(a) For class I members, the total amount of one-third of the total contributions made by the member, including regular interest less the total amount of annuity payments received by the member; for class II members, the total amount of the contributions made by the member, including regular interest less the total amount of annuity payments received by the member, and

(b) A single sum death benefit payment in the amount of \$1,000.

Payment of these refunds and benefits shall be made to the beneficiary or beneficiaries designated by the member, in a nominating petition filed with the board, or, if no such designation has been made, payment shall be made as follows:

(1) If a surviving spouse survives and there are no children, the spouse shall receive the refund.

(2) If a child or children but no spouse survive the member, the children shall share the refund equally.

(3) If a surviving spouse and a child or children survive the member, the spouse shall receive 50 percent of the refund and the children 50 percent, divided equally amongst them.

(4) If no spouse or children survive the member, but parents of the member survive, the parents shall share the refund equally. If only one parent survives, he or she shall receive the entire refund.

(5) If no spouse, parent or children survive the member, any siblings of the member shall share the refund equally.

(6) If no parents, spouse, children, or siblings survive the member, and no beneficiary has been designated, the refund shall be paid to the estate of the member.

(7) The administrator shall provide forms to members on which the members shall indicate their family members. For purposes of a refund or contributions, the information provided by the member shall be final and conclusive.

**Source:** PL 6-17, ch. 3, § 8339, modified.