

HB 1557 - AS INTRODUCED

2022 SESSION

22-2552

10/04

HOUSE BILL ***1557***

AN ACT relative to survivor benefit optional allowances under the retirement system.

SPONSORS: Rep. Goley, Hills. 8; Rep. S. Pearson, Rock. 6; Rep. Schuett, Merr. 20

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill changes the time frame for the grace period to elect to receive a survivor benefit optional retirement allowance under the New Hampshire retirement system.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to survivor benefit optional allowances under the retirement system.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Retirement System; Optional Allowances; 120-day Grace Period. Amend RSA 100-A:13, I to
2 read as follows:

3 I. Any member who has reached service retirement age as provided in RSA 100-A:5, I(a), or
4 II(a), or RSA 100-A:19-b, any retiree within 120 days [~~after the effective date of retirement~~] **from**
5 **the date of the original notice of retirement provided by the retirement system, not to**
6 **include any future benefit adjustments that may be carried out by the retirement system**
7 **relative to a beneficiary's monthly annuity**, or any retiree within 120 days after a decision by the
8 board of trustees granting the retiree disability retirement benefits pursuant to RSA 100-A:6, may
9 elect to receive, instead of the retirement allowance otherwise payable, a retirement allowance of
10 equivalent actuarial value under one of the options named in paragraph III, or to redesignate any
11 such option previously elected. When the member or retiree elects to receive an optional retirement
12 allowance under paragraph III, the beneficiary or beneficiaries whom the member or retiree
13 nominates may include the member's spouse and/or children. The notice of non-election, election, or
14 change of retirement option shall be on a form designated by the board, which, if the member or
15 retiree is married, shall include a spousal acknowledgment. The optional allowance shall be
16 effective upon retirement if the election is made before the effective date of retirement, and on the
17 first day of the month following receipt by the board of the notice of election or change of option if
18 made during a 120-day grace period. When an election or change of option is made during a 120-day
19 grace period, no retroactive adjustments will be made in payments already received by the retiree.
20 When an election or change of option is made within 120 days after a decision by the board of
21 trustees granting the retiree disability retirement benefits, the optional allowance shall be
22 calculated using retiree and beneficiary age factors applicable as of the first day of the month
23 following receipt by the board of the notice of election or change in option. After expiration of the
24 120-day grace period no change in option selection shall be permitted except as provided in
25 paragraph II. If a retiree dies after filing notice of election or change of option during the 120-day
26 grace period but before the effective date, the election or change shall be effective as of the date of
27 death. If a member dies after filing an election for a survivorship retirement option and before the
28 effective date of retirement, whether or not the member has filed for retirement, the beneficiary who
29 was nominated by the member in the election of the option may elect to receive either the optional
30 survivor benefit which the member had elected or the ordinary death benefit provided under RSA
31 100-A:9, whichever is more advantageous to the beneficiary; provided that, in the case of the

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1 member's death before retirement, if the beneficiary named in the survivorship option election is not
2 the same person as the beneficiary under RSA 100-A:9, then the death benefit under RSA 100-A:9,
3 II, and not the survivorship option shall apply.

4 2 Effective Date. This act shall take effect 60 days after its passage.