

Superseded 5/10/2016

49-19-501 Death of member or retiree -- Surviving spouse benefit.

- (1) Upon the death of a governor or legislator who has not yet retired and who has completed four or more years in the elected office, the member's spouse at the time of death shall receive an allowance equal to 50% of the allowance to which the governor or legislator would have been entitled upon reaching age 65, if the governor or legislator and surviving spouse had been married at least six months.
- (2) Upon the death of a governor or legislator receiving an allowance under this plan, the member's spouse at the time of death is entitled to an allowance equal to 50% of the allowance being paid to the member at the time of death.
- (3)
 - (a) A spouse who requests a benefit under this section shall apply in writing to the office.
 - (b) The allowance shall begin on the first day of the month:
 - (i) following the month in which the member died, if the application is received by the office within 90 days of the member's death; or
 - (ii) following the month in which the application is received by the office, if the application is received by the office more than 90 days after the member's death.