

1 **FIREFIGHTER RETIREMENT SYSTEMS**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Joseph G. Murray**

5 AN ACT RELATING TO RETIREMENT; AMENDING CERTAIN DEATH BENEFIT
6 PROVISIONS.

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **49-5-701**, as last amended by Chapters 51 and 285, Laws of Utah 1990

10 *Be it enacted by the Legislature of the state of Utah:*

11 Section 1. Section **49-5-701** is amended to read:

12 **49-5-701. Death of active member in Division A -- Payment of benefits.**

13 If an active member of the system enrolled in Division A dies, the following benefits are
14 payable:

15 (1) (a) [H] Except as provided in Subsection (1)(b), if death is classified as line-of-duty,
16 the dependent spouse receives a lump sum of \$1,500 and a monthly allowance equal to 30% of the
17 deceased member's final average monthly salary.

18 (b) If the member has 20 or more years of service credit, the member shall be considered
19 to have retired with a monthly allowance calculated under Subsection 49-5-402(1) and the
20 dependent spouse shall receive the death benefit payable to a dependent spouse under Section
21 49-5-704.

22 (2) If death is not classified as line-of-duty, the benefit is as follows:

23 (a) If the member has less than ten years of service credit at the time of death, the
24 member's beneficiary receives \$1,000 or a refund of contributions, whichever is greater.

25 (b) If the member has ten or more years of service credit the dependent spouse receives
26 \$500 plus a monthly allowance equal to 2% of the final average monthly salary of the deceased
27 member for each year of service credit with a maximum of 30% allowed.

28 (3) In the event of the death of the member and there is no spouse, the spouse's benefit
29 shall be equally divided and paid to each unmarried child until the child reaches age 21.

30 (4) If the benefit is not distributed under this section, and there is a beneficiary, the vested
31 contribution shall be paid to the beneficiary.

Legislative Review Note
as of 1-8-99 8:39 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel