

FIREFIGHTER RETIREMENT SYSTEMS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Joseph G. Murray

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

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

AMENDS:

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

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

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

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

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

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

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

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

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

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

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

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