

Section C: Member beneficiary and option restrictions

5. Is the member required to designate the AP/former RDP as beneficiary **before** retirement?
If the AP/former RDP is not designated as a preretirement beneficiary and the member dies preretirement, the AP/former RDP will receive no benefits of any kind.
- a. Yes, the AP/former RDP is designated as sole preretirement beneficiary.
- b. Yes, the AP/former RDP is designated as a primary preretirement beneficiary with the balance payable to the member's designated secondary beneficiary. If a valid designation is not on file, or the secondary beneficiary predeceases the member, the remainder benefit will be paid in the following order: member's surviving spouse, member's surviving children, member's estate. The amount designated to the AP/former RDP is: (Choose one.)
- _____ %
- 100% of the married time ratio as indicated in 1(c)
- the final married time award percentage derived from 1(c)
6. Is the member required to designate the AP/former RDP as beneficiary **upon** retirement?
- a. Yes, the AP/former RDP is designated as sole beneficiary.
- b. Yes, the AP/former RDP is designated as primary beneficiary with the balance payable to the member's designated secondary beneficiary. If a valid designation is not on file, or the secondary beneficiary predeceases the member, the remainder benefit will be paid in the following order: member's surviving spouse, member's surviving children, member's estate.
The amount designated to the AP/former RDP is: (Choose one.)
- _____ %
- 100% of the married time ratio as indicated in 1(c)
- the final married time award percentage derived from 1(c)
- If either (a) or (b) is selected above, the member:
- is required to retire under benefit option _____ .
- is required to retire under a joint and survivorship option of the member's choosing.
- can select any option other than Option 1 or Lump Sum Option 1. (Beneficiary benefits may be limited or non-existent at the time of the member's death.)
- If an option restriction is not provided above, the member may select any retirement option, including an option that does not provide death benefits.
- If the AP/former RDP dies before the member's retirement, any required beneficiary or retirement option restriction is lifted.
7. If the member retires under **Police and Firefighter eligibility** and has a surviving spouse or minor children at the time of the member's death, the additional death benefit provided for survivors of certain P&F members under Oregon Revised Statute (ORS) 238.405 will be paid solely to the member's surviving spouse or minor children, unless a percentage is provided here:
- a. The AP/former RDP is designated to receive _____ % of the ORS 238.405 benefit for the life of the member's surviving spouse or until the member's minor children reach the age of 18.
- b. If a percentage is provided in (C.7.a). above and the AP/former RDP dies prior to the member's surviving spouse's death or minor children turning 18, the benefit will continue to the AP's/former RDP's beneficiary unless this box is checked:
- Upon AP's/former RDP's death, this benefit reverts to member's surviving spouse or minor children.

EXHIBIT _____

Section D: Pre-Retired Death of member

If the member dies before the AP/former RDP *and* before retirement *and* the AP/former RDP is a beneficiary in (5) above:

The AP/former RDP will receive death benefits per the parameters set forth in Section C (5) rather than a divorce/dissolution benefit.

If the member dies before the AP/former RDP *and* before retirement *and* the AP/former RDP is not a preretirement beneficiary:

The AP/former RDP receives no benefits of any kind.

Section E: Post-Retired Death of member

If the member dies after retirement *and* the AP/former RDP is receiving Deduction benefits *and* the AP/former RDP is a beneficiary:

The AP/former RDP will receive a beneficiary benefit per the parameters set forth in Section C (6 and/or 7) and the AP's/former RDP's divorce/dissolution benefit will end.

If the member dies after retirement *and* the AP/former RDP is receiving Deduction benefits *and* the AP/former RDP is not a beneficiary:

The AP/former RDP does not receive beneficiary benefits and the AP's/former RDP's divorce/dissolution benefit ends as the deceased member can no longer fulfill the requirement of paying the taxes on the AP/former RDP benefit. The member's retirement beneficiary will receive 100% of the beneficiary benefits (if any).

Section F: Death of Alternate Payee/former RDP

If the AP/former RDP dies *before* the member *and* before retirement*:

- The AP's/former RDP's divorce/dissolution award reverts to the member. The member will receive 100% of PERS benefits.
or
- The AP's/former RDP's divorce/dissolution award benefit **will be paid as a Deduction** from the member's benefit when the member retires. The benefit will be paid according to the last Designation of Beneficiary form filed by the AP/former RDP, if valid. If the AP/former RDP doesn't have a valid Designation of Beneficiary on file, or the beneficiary predeceases the AP/former RDP, the benefit will be paid in the following order: AP's/former RDP's surviving spouse, AP's/former RDP's surviving children, AP's/former RDP's estate.

If the member dies before retirement:

No divorce/dissolution award benefit is payable. The member's preretirement beneficiary will receive 100% of the member's preretirement death benefits (if any).

If the member dies after retirement:

The AP's/former RDP's divorce/dissolution award ends as the deceased member can no longer fulfill the requirement of paying the taxes on the divorce/dissolution awarded benefit. The member's beneficiary will receive 100% of the beneficiary benefits (if any).

EXHIBIT _____

If the AP/former RDP dies *before* the member but *after* the AP/former RDP begins receiving Deduction benefits from the member's retirement*:

- The AP's/former RDP's divorce/dissolution award reverts to the member. The member will receive 100% of PERS benefits.
or
- The AP's/former RDP's divorce/dissolution award benefit continues as a Deduction from the member's benefit and is to be paid according to the last Designation of Beneficiary form filed by the AP/former RDP, if valid. If the AP/former RDP doesn't have a valid Designation of Beneficiary on file, or the beneficiary predeceases the AP/former RDP, the benefit will be paid in the following order: AP's/former RDP's surviving spouse, AP's/former RDP's surviving children, AP's/former RDP's estate. **When the member dies:**
The AP's/former RDP's divorce/dissolution benefit ends as the deceased member can no longer fulfill the requirement of paying the taxes on the AP/former RDP benefit. The member's beneficiary will receive 100% of the beneficiary benefits (if any).

*The AP's/former RDP's divorce/dissolution benefit will continue unless a selection to end the benefit is made.

Additional Information

Members and APs/former RDPs must track awards that have an end date or dollar limitation. They must notify PERS 60 days before the award end date or dollar limitation.

If the member elected a survivorship option, all benefits end upon the death of the member and the member's primary beneficiary.

Cost-of-living adjustments, or any other retirement allowance increases provided to the member, shall increase the amount paid to the AP/former RDP of the member in the same proportion with the exception of monthly dollar amount awards. A monthly dollar amount award is set and does not receive increases.

EXHIBIT _____