

SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION

S.F. No. 4622

(SENATE AUTHORS: LIMMER, Howe and Kreun)

DATE	D-PG	OFFICIAL STATUS
03/07/2024	12034	Introduction and first reading Referred to State and Local Government and Veterans

1.1

A bill for an act

1.2

relating to retirement; Minnesota State Retirement System; State Patrol retirement

1.3

plan; authorizing the surviving spouse of a deceased state employee to receive a

1.4

survivor annuity and back pay.

1.5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6

Section 1. STATE PATROL PLAN JOINT AND SURVIVOR ANNUITY FOR

1.7

SURVIVING SPOUSE.

1.8

Subdivision 1. Definitions. The following terms as used in this section have the meanings

1.9

given to them.

1.10

(1) "Deceased retiree" means a person who:

1.11

(i) was employed by the Minnesota State Patrol beginning in 1968 until retirement in

1.12

April 1998, with retirement coverage by the State Patrol plan;

1.13

(ii) submitted an application for a retirement annuity on February 26, 1998, to the

1.14

Minnesota State Retirement System without a signed spousal acknowledgment required

1.15

under Minnesota Statutes 1997, section 356.371, subdivision 3, and selected a single life

1.16

annuity rather than a joint and survivor annuity; and

1.17

(iii) died on August 5, 2017.

1.18

(2) "Eligible person" means a person who is the surviving spouse of the deceased retiree.

1.19

(3) "Executive director" means the executive director of the Minnesota State Retirement

1.20

System.

(4) "State Patrol plan" means the State Patrol retirement plan established under Minnesota Statutes, chapter 352B.

(5) "Surviving spouse" means surviving spouse, as defined in Minnesota Statutes, section 352B.011, subdivision 13.

Subd. 2. **Authorization.** Notwithstanding any state law to the contrary, an eligible person may elect to receive a back payment and the survivor portion of a 100 percent joint and survivor annuity as specified in subdivision 3 upon satisfying the requirements in subdivision 4.

Subd. 3. **Survivor annuity; back pay.** (a) Upon satisfying the requirements in subdivision 4, an eligible person is entitled to a survivor annuity under paragraph (b) and a back payment under paragraph (c).

(b) The executive director must begin payment of the survivor portion of a 100 percent joint and survivor annuity as if the deceased retiree had elected a 100 percent joint and survivor annuity under Minnesota Statutes 1997, section 352B.08, subdivision 3, instead of a single life annuity. The executive director must determine the amount of the monthly annuity payments by taking into account all postretirement adjustments that would have occurred since the deceased retiree began drawing a retirement annuity in 1998. The annuity starting date for the eligible person's survivor annuity is the first day of the month following the date the eligible person satisfies the requirements in subdivision 4.

(c) The executive director must distribute a back payment from the State Patrol plan in a lump sum payment to the eligible person or as a direct rollover to an eligible retirement plan, if elected by the eligible person and permitted under Minnesota Statutes, section 356.635, subdivisions 3 to 7. The back payment is equal to the amount the eligible person would have received if the eligible person had begun receiving the annuity described in paragraph (b) on the first of the month after the death of deceased retiree until the annuity starting date under paragraph (b), with interest, compounded annually, at the rate or rates specified in Minnesota Statutes, section 356.59, subdivision 2, from the date that each monthly payment would have been made, minus the difference between the monthly amounts the deceased retiree received during his lifetime and the amounts the deceased retiree would have received had he elected to receive a 100 percent joint and survivor annuity instead of a single life annuity, with interest, compounded annually, at the rate or rates specified in Minnesota Statutes, section 356.59, subdivision 2, from the date that each monthly payment was made.

- 3.1        Subd. 4. **Application; deadline.** An eligible person must apply in writing on forms
- 3.2        provided by the executive director to receive the annuity and back payment under subdivision
- 3.3        3. The application must be made by December 31, 2024, and must include documentation
- 3.4        establishing that the person is an eligible person and any other information the executive
- 3.5        director may require.
- 3.6        **EFFECTIVE DATE.** This section is effective the day following final enactment.