
CHAPTER 183—H.F.No.583**[Coded]**

An act relating to retirement; providing that in the event a surviving spouse is remarried and such marriage terminates, monthly survivor benefits shall be reinstated; providing for proportionate annuities in certain cases; amending Minnesota Statutes 1974, Chapter 356, by adding sections.

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

Section 1. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.31] RETIREMENT SYSTEMS; RESTORATION OF SURVIVOR BENEFITS. Subdivision 1. RESTORATION UPON TERMINATION OF REMARRIAGE. Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who was receiving a surviving spouse's benefit from any of such funds and whose benefit terminated solely because of remarriage shall, if the remarriage terminates for any reason, again be entitled upon reapplication to a surviving spouse's benefit; provided, however, that such person shall not be entitled to retroactive payments for the period of remarriage. The benefit shall resume at the level which such person would have been receiving if there had been no remarriage. This section shall apply prospectively to any person who first becomes entitled to receive a surviving spouse's benefit on or after the effective date of this act, and shall also apply retroactively to any person who first became entitled to receive a surviving spouse's benefit before the effective date of this act; provided, however, that no such person shall be entitled to retroactive payments for any period of time prior to the effective date of this act.

Subd. 2. COVERED FUNDS. The provisions of this section shall apply to the following retirement funds:

(1) Public employees retirement fund, established pursuant to chapter 353;

(2) Public employees police and fire fund, established pursuant to chapter 353;

(3) Highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) Legislators' retirement plan, established pursuant to chapter 3A;

(5) Elective state officers retirement plan, established pursuant to

Changes or additions indicated by underline deletions by ~~strikeout~~

chapter 352C:

(6) Teachers retirement fund, established pursuant to chapter 354;

(7) Minneapolis municipal employees retirement fund, established pursuant to chapter 422A.

Sec. 2. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.32] PROPORTIONATE ANNUITY IN CERTAIN CASES.
Subdivision 1. PROPORTIONATE RETIREMENT ANNUITY. Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who is employed in a position covered by any such fund, who has credit for at least three years but less than ten years of allowable service in such fund or a combination of such funds, and who is required to terminate service at age 65 or earlier pursuant to a mandatory retirement statute or a uniformly applied mandatory retirement policy established by the employer, shall be entitled upon application to a proportionate retirement annuity from each such fund in which he has allowable service credit, based upon his allowable service credit at the time of mandatory retirement; provided, however, that nothing in this section shall prevent the actuarial reduction of an annuity for which application is made prior to normal retirement age.

Subd. 2. COVERED FUNDS. The provisions of this section shall apply to the following retirement funds:

(1) State employees retirement fund, established pursuant to chapter 352;

(2) Correctional employees retirement program, established pursuant to chapter 352;

(3) Highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) Public employees retirement fund, established pursuant to chapter 353;

(5) Public employees police and fire fund, established pursuant to chapter 353;

(6) Teachers retirement fund, established pursuant to chapter 354.

Sec. 3. This act is effective the day following final enactment.

Approved May 17, 1975.

Changes or additions indicated by underline deletions by ~~strikeout~~