



County Employees' Retirement Fund

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Clerk Bulletin

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New Legislation – SB 625

SB 625, which was recently signed into law, authorizes that, when an active participant dies before becoming vested, the same beneficiary(s) who received the member's \$10,000 death benefit will also receive a refund of any contributions paid by the participant. This legislation became effective August 28, 2012, and affects members who die after December 31, 2002. CERF will begin mailing letters to beneficiaries who already received the \$10,000 death benefit, informing them of the new legislation and asking them to contact our office to complete the necessary refund paperwork. Any contributions paid by the counties on behalf of their employees will be credited back to the counties at the time county credits are processed.

As a result of SB 625, the following forms were **updated**:

Form 1A Beneficiary Designation (\$10,000 Death Benefit/Non-Vested Refund of Contributions)

Form 3A Death Benefits – Designated Non-Spouse (\$10,000 Death Benefit) Payment Election

Form 3B Death Benefit – Spouse (\$10,000) Payment Election

Form 3C Death Benefits – Non-Designated Non-Spouse (\$10,000) Withholding Election.

Forms 3A, 3B, and 3C will be completed by the beneficiary(s) of the \$10,000 Death Benefit.

In addition, the following forms were **created**:

Form 4A Death Benefits – Designated Non-Spouse (Single Vested and Non-Vested Refund) Payment Election,

Form 4B Death Benefit – Spouse (Non-Vested Refund) Payment Election

Form 4C Death Benefits – Non-Designated Non-Spouse (Single Vested and Non-Vested Refund of Contributions) Withholding Election.

Forms 4A, 4B, and 4C will be used for the beneficiary(s) to complete for the single vested and non-vested refunds.

Finally, the payment instructions have been updated to include all types of death benefit payments.

Please discard any of the forms that are being replaced and begin using the revised forms immediately, **as old forms will no longer be accepted at CERF**. The revised and new forms are available on our web site, www.mocerf.org.

Medical Leave Policy

If your county does not have a written medical leave policy, specifically stating the length of time the county gives their employees for medical leave, then an employee who dies while out on medical leave would not be eligible for the \$10,000 death benefit. Also, the \$10,000 death benefit would not be payable if an employee's medical leave exceeds the time allowed by the county's medical leave policy. A poster simply referring to the Family Medical Leave Act would not constitute a "written medical leave policy" for CERF's purposes in paying out the death benefit. CERF reviews the county's written medical leave policy if a member passes away while actively employed to determine if the member is eligible for the \$10,000 Death Benefit.

Forms Submitted to CERF

All forms submitted to the CERF Administrative Office should be signed and dated either by the County Clerk and/or the participant. Also, please review the Form 1A, \$10,000 Death Benefit and Form 8, Single Vested Death Vested and verify they are completed before mailing or faxing.

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