



Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): TRB2016_TRB2_TechRev

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Teachers' Retirement Board

Liaison: Darlene Perez

Phone: 860-241-8401

E-mail: Darlene.perez@ct.gov

Lead agency division requesting this proposal: Teachers' Retirement Board

Agency Analyst/Drafter of Proposal: Darlene Perez

Title of Proposal: An Act Concerning Interest For Inactive Non Vested Members and Language Regarding An Obsolete Pension Reserve Account.

Statutory Reference: Chapter 167a*, Sec. 10-183ee

Proposal Summary:

This proposal would allow us to cease crediting interest on inactive non vested members after ten years of inactivity rather than 25 years of inactivity and would delete statutory language reference regarding an obsolete pension reserve account that ceased to exist decades ago.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
Yes. Increase in inactive member withdrawals, reducing the administrative burden associated with maintaining accounts for nonvested members. Eliminates need for issuance of annual member statement and future notices regarding minimum distribution requirements at the Internal Revenue Service specific age and time. Allows members to access account before it is "forgotten" and left abandoned. Increases compliance with Internal Revenue Code Minimum Distribution Requirement Rule, provided inactive member withdrawals once we cease posting interest on their account.
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

◇ **Origin of Proposal**

☐ **New Proposal**

☒ **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
The proposal passed the House but did not pass in the Senate.
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: None

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ☐ YES ☐ NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

None

State

None

Federal

None

Additional notes on fiscal impact



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

--

Insert fully drafted bill here

Amend Sec. 10-183ee as follows:

Sec. 10-183ee. Unclaimed contributions transferred to pension reserve account. Procedure for claiming. (a) After at least twenty-five years have elapsed since [a member] a vested member or ten years have elapsed since a nonvested member of the teachers' retirement system ceased to be a teacher for any cause other than death or retirement or two years have elapsed from the date any other person became entitled to a benefit pursuant to this chapter, the Teachers' Retirement Board shall send a statement to such member or such person at the last known address of the person setting forth the amount of the accumulated contributions or other benefits standing to the credit of such person. The statement shall give notice to such person that unless payment is demanded of said amount prior to a date at least ninety days from the date the notice is given, the amount will be deemed abandoned and [will be transferred by the retirement board to the pension reserve account within the Teachers' Retirement Fund] no further interest shall be credited to said amount.

(b) Any accumulated contributions or other benefits so deemed abandoned [and transferred to the pension reserve account] may be claimed by the person entitled to the accumulated contributions or other benefits, or in the event of his death, by his estate or by such person or persons as he shall have nominated to receive such accumulated contributions, by filing a claim with the retirement board in such form and in such manner as may be prescribed by the retirement board, seeking the return of such abandoned accumulated contributions or other benefits[without interest]. In the event such claim is properly made the retirement board shall pay over to the person or persons or estate making such claim the amount of such accumulated contributions or other benefits [without interest. The payment shall be made from the pension reserve account].



Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): TRB2016_TRB1_TechRev

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Teachers' Retirement Board

Liaison: Darlene Perez

Phone: 860-241-8401

E-mail: Darlene.perez@ct.gov

Lead agency division requesting this proposal: Teachers' Retirement Board

Agency Analyst/Drafter of Proposal: Darlene Perez

Title of Proposal: An Act To Allow Retention of the Coparticipant Option After Divorce

Statutory Reference: Chapter 167a*, Sec. 10-183j(3).

Proposal Summary:

The intent of this proposal is to allow members of the Teachers' Retirement System the option of retaining the Payment Plan D Coparticipant option upon divorce.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

The portion of a pension earned within a marriage is considered a marital asset and therefore subject to division at the time of divorce. This system offers our members a retirement option that would provide lifetime income to their coparticipant should they predecease their coparticipant. The option is called the Plan D coparticipant option and is elected at the time of retirement. Under current law, the Plan D option election is terminated upon divorce. In the event our member divorces after retirement and had elected the Plan D coparticipant option at retirement, this proposal would allow the member to retain the Plan D option.

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

◇ **Origin of Proposal**

☐ **New Proposal**

☒ **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
The proposal passed the House but did not pass in the Senate.
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: None

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ☐ YES ☐ NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

N/A

State

None

Federal

None

Additional notes on fiscal impact



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

--

Insert fully drafted bill here

Amend Sec. 10-183j(3) as follows:

(d) The benefits payable to such member and such coparticipant shall be computed as follows:

(1) The benefit payable to such member at retirement and to such coparticipant upon such member's death shall be the actuarial equivalent of the normal, early, proratable or disability benefit for which such member is eligible and based upon such member's age at retirement and the age of such coparticipant on such retirement date.

(2) The benefit payable to such coparticipant of such member who dies after such option first becomes effective but before retirement shall be the actuarial equivalent of the normal, early or proratable benefit for which such member was eligible based on such member's age at death and the age of such coparticipant on such date of death.

(3) [The benefit payable to a member whose designated coparticipant dies or is divorced from the member after the effective date of the option but before the retirement or death of such member shall be the normal, early, proratable or disability benefit for which the member is eligible.] A coparticipant option shall be terminated, for any member whose designated coparticipant dies or is divorced from the member after the member's retirement, on the date of such death or divorce. Such member shall thereupon be paid the normal, early, or proratable [or disability] retirement benefit for which the member is eligible. Effective July 1, 2015, upon divorce the courts may order the member to retain the coparticipant option and fraction elected at the time of retirement.