

ACT 22

H.B. NO. 1895

A Bill for an Act Relating to Death Benefits Under the Employees' Retirement System.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 88-286, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

- “(b) In the case of ordinary death, the death benefit shall be as follows:
- (1) For the surviving spouse, the amount of the death benefit shall be an allowance equal to one-half of the member's accrued normal retirement allowance unreduced for age, payable to the surviving spouse until remarriage[.]; or if the member was eligible for retirement at the time of the member's death in service, the surviving spouse may elect the allowance which would have been payable if the member had retired the day prior to death and had elected to receive a retirement allowance under option B and computed on the basis of section 88-283.
  - (2) If there is a surviving spouse, each dependent child under age eighteen ~~shall~~ receive as a death benefit an allowance equal to ten per cent of the member's accrued normal retirement allowance unreduced for age, payable to each dependent child until the dependent child attains age

- eighteen; provided that the aggregate death benefits for all the dependent children shall not exceed twenty per cent of the member's accrued normal retirement allowance unreduced for age.
- (3) If there is no surviving spouse, each dependent child under age eighteen shall receive as a death benefit an allowance equal to twenty per cent of the member's accrued normal retirement allowance unreduced for age, payable to each dependent child until the dependent child attains age eighteen; provided that the aggregate death benefits for all the dependent children shall not exceed forty per cent of the member's accrued normal retirement allowance unreduced for age."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 13, 1993.)