

**Retirement Board**

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Memorandum

To: Retirement Liaison Officers

From: Kabrina Feser, Operations Officer

Date: April 23, 2024

Re: Proposed Revisions to Legislators' Retirement System Official Policies

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The Public Employees' Retirement Board has approved for notice the **adoption of new policies and the re-adoption of all previously adopted policies** of the Board in accordance with NRS 218C.150 and NRS 218C.180. Please immediately cause a copy of this notice to be posted on a bulletin board or in some conspicuous place in your office.

The public hearing on the revised policies will take place no earlier than 11:00 a.m. on May 16, 2024, in the PERS' Board Room, 693 W. Nye Lane, **Carson City**. Any person wishing to testify should be in attendance at the meeting. The revised policies may be adopted, as proposed or as modified by the Retirement Board, at the May 16, 2024, meeting and become effective July 1, 2024, or as indicated.

The following pages include the proposed changes to the policies; additions are underlined and deletions have a strikethrough line.

- [218C.584](#) 1.10 KILLED IN THE COURSE OF LEGISLATIVE SERVICE – For legislative members, death that occurs as a direct or proximate result of the performance of the duty. In the event of heart attack or stroke, the member shall be presumed to have died as a direct or proximate result of the personal injury sustained in the line of duty if:
1. While on duty –
    - a. Engaged in a situation, and such engagement involved non-routine stressful or strenuous physical activity, or,
    - b. Participated in a training exercise, and such participation involved non-routine stressful or strenuous physical activity,
  2. Member died as a result of a heart attack or stroke suffered –
    - a. While engaging or participating in such activity as described above, or
    - b. While still on that duty after so engaging or participating in such an activity, or
    - c. Not later than 24 hours after so engaging or participating in such an activity; and
  3. Such presumption is not overcome by competent medical evidence to the contrary.

[218C.150](#) 1.19 SALARY - As used in section 27 of SB 406, “salary” is the compensation reported for the member by the member’s public employer in the last full month of employment preceding the member’s death, except that if the member was not paid on a monthly or semi-monthly schedule, the compensation shall be converted to a monthly schedule.

218C.150 4.3 The public employer shall provide to the System all employment and termination ~~documents~~ [information](#) that affect service credit.

218C.200 6.3 The System shall:

- a. Provide an initial refund of all contributions credited to the member’s account as of the next refund date after receipt of refund request and termination.
- b. Forward a final refund of any balance remaining in the account after contributions through termination date have been submitted by the employer.
- c. Record any contributions received after the final refund, if less than \$10, and transfer that amount to the System. In the event of a subsequent return to the System by the member, this amount will revert to the member’s account.
- d. [Should an initial refund check, or a remainder balance check, be lost or stolen, a replacement check will be reissued after 90 days from issuance.](#)

- 218C.200 6.7 All membership rights and active service credit in the System, including service for which the public employer paid contributions on behalf of an employee, are cancelled upon ~~refund of contributions~~ issuance of the initial refund check.
- 218C.580 7.1 Eligibility for survivor benefits is established if:
- a. The deceased member had two years of service in the two and one-half years immediately preceding the member's death.
  - b. The deceased member had ten or more years of accredited, contributing service.
  - c. The death of the member was caused by an occupational disease or an accident arising out of and in the course of his employment regardless of service credit.
  - d. The death of the member occurs within 18 months after termination of employment or commencement of leave without pay where a mental or physical condition required the termination or leave without pay.
  - e. The death of the member occurs while on leave of absence for training and the member met requirements of (a), (b), (c), or (d) at time such leave began.
  - f. In the case of survivor benefits for an unmarried member, the deceased member had properly completed, signed, dated, and filed the approved form with the System designating a survivor beneficiary for receipt of the benefit before his or her death. Such filing must be evidenced by the System's records related to the member's account. The System will accept an approved form if it has been mailed before the member's death, as evidenced by the date of the postmark dated by the post office on the envelope in which it is mailed. Benefits will not be paid unless eligibility is established in accordance with this provision.
  - g. A fully executed Application for Survivor Benefits must be received in the System's office to initiate benefits.
- 218C.580 7.6 Survivor benefits paid to a child pursuant to NRS 218C.580 and NRS 286.673 shall be cancelled as of the end of the month in which any one of the following occurs:
- a. ~~The child is adopted.~~
  - b. The child dies.
  - c. The child marries.
  - d. Except as otherwise provided in Policy 7.7, 7.11, or 7.12, the child attains the age of 18 years.

[218C.150](#)  
[286.67675](#),  
[286.6768](#),  
[286.67685](#),  
[286.5769](#),  
[286.67695](#)

- 7.22 [A recipient of survivor benefits may designate that his monthly benefit check be transmitted as follows:](#)
- a. [Mailed directly to any residence address or personal Post Office box; or](#)
  - b. [Through an electronic funds transfer \(EFT\) to his account at his financial institution. An Electronic Funds Transfer \(EFT\) Authorization form must be completed and signed before a notary public.](#)

218C.150

- 8.7 Proof of birth date and continuity of name change may be established by any one of the documents listed in Group 1 or any two of the documents listed in Group 2 below:

GROUP 1

- a. Certified copy of birth certificate.
- b. Infant baptism certificate, or certified copy.
- c. Delayed certificate of birth.
- d. [Global Entry Card.](#)
- e. [Passport or passport card.](#)
- f. [Real ID.](#)

GROUP 2

- a. School age record, or certified copy.
- b. Military service record, or certified copy.
- c. Marriage record, if date of birth is shown, or certified copy.
- d. Naturalization certificate of individual, or of parents, providing participant's age is stated.
- e. Transcript of record from U.S. Bureau of Census.
- f. Certified copy of the family record in the family Bible stating:
  1. Name of person who entered date of birth in Bible.
  2. When date of birth was entered.
  3. Explanation of any corrections.
  4. Date of printing of Bible.
- g. ~~Passport.~~
- h. Notarized statement of knowledge by a person who was an adult at time of member's birth.
- i. Motor vehicle records.
- j. Hospital record of birth.
- k. Social Security records.
- l. Voter registration records.
- m. Any other document over ten years old which lists the person's date of birth.
- n. [Death Certificate.](#)
- o. [Resident alien card.](#)

- p. Tribal ID.
- q. Concealed Weapon permit.
- r. Domestic Partner Certificate, if date of birth is shown.

218C.150      8.11      A retired employee may designate that his monthly benefit check be transmitted as follows:

- a.      Mailed directly to any residence address or personal Post Office box; or
- b.      Through an electronic funds transfer (EFT) to his account in his financial institution. An Electronic Funds Transfer (EFT) Authorization form must be completed and signed before a notary public.

218C.150  
286.118      9.13      Except as otherwise provided in this section, all information about a current or former member as well as a beneficiary of a member of the System is confidential regardless of the form, location, and manner of creation or storage of a record or file containing the information. The following information about a current or former member is a public record:

- a.      The name of the current or former member; and
- b.      The amount of annual pension benefit paid to the current or former member.

218C.150  
286.118      9.14      The Board may only disclose information made confidential pursuant to subsection 1 to a third party if:

- a.      Such disclosure is necessary for the Board to carry out its duties; and
- b.      The Board executes a confidentiality agreement with the third party before providing the third party with any confidential information.