

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

400V0305

## SENATE BILL NO. 40

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

1 FOR AN ACT ENTITLED, An Act to allow a surviving spouse of a member of the South  
2 Dakota Retirement System to elect a reduced benefit prior to age sixty-five under certain  
3 circumstances.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 3-12 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 A member's spouse who would be eligible to receive a surviving spouse benefit at age sixty-  
8 five may elect to start the benefit prior to age sixty-five but no earlier than the date on which the  
9 surviving spouse attains the age of fifty-five. The early surviving spouse benefit, payable for the  
10 life of the surviving spouse, is the surviving spouse benefit reduced by five percent for each full  
11 year and prorated for each additional full month between the date the early surviving spouse  
12 benefit commences and the date the surviving spouse attains the age of sixty-five.

13 Section 2. The provisions of this Act are effective July 1, 2015.

