

## BENEFICIARY DESIGNATIONS BEFORE RETIREMENT

**Single Primary Beneficiary** - One person, an estate, or a trust designated by a member to receive 100% of any NHRS death benefit and/or refund of the member's accumulated contributions, which may be payable upon the member's death before retirement.

**Multiple Primary Beneficiaries** - More than one person, which may include an estate and/or trust, designated by a member to each receive a percentage of any NHRS death benefit and/or refund of the member's accumulated contributions, which may be payable upon the member's death before retirement.

**Contingent Beneficiary(ies)** - The person(s), estate, or trust who would become eligible for any NHRS death benefit and/or refund of the member's accumulated contributions if the primary beneficiary(ies) is deceased at the time of the member's death before retirement.

**Member's Estate or Trust** - Members may designate an estate or a trust as a primary or contingent beneficiary. If a trust is the designated beneficiary, the member must also complete a *Death Benefits Designation of a Trust as Beneficiary* form, acknowledging an understanding and satisfaction of all the terms, conditions, and requirements applicable to designating a trust as beneficiary. Only a lump-sum payment may be made to an estate or trust.

## EXPLANATION OF DEATH BENEFITS

### ORDINARY DEATH BENEFIT (Non Job-Related Death) – RSA 100-A:9

The Ordinary Death Benefit may be payable to the member's designated beneficiary(ies) if the member dies before retirement and while in service for reasons that are not related to the job.

If the member had at least 10 years of combined creditable service or was eligible for Service Retirement at the time of death, and the member's spouse is the only designated beneficiary, the surviving spouse may choose to receive either an annual pension until death equal to 50% of the member's Service Retirement pension, or, a lump sum payment equal to the member's annual earnable compensation, plus a refund of the member's accumulated contributions.

If the member did not have at least 10 years of combined creditable service, was not eligible for Service Retirement, and either left no surviving spouse or designated someone other than the surviving spouse as beneficiary at the time of death, the member's designated beneficiary(ies) will receive a lump sum payment equal to the greater of either \$3,600 or the member's annual earnable compensation, plus a refund of the member's accumulated contributions.

### ACCIDENTAL DEATH BENEFIT (Job-Related Death) – RSA 100-A:8

The Accidental Death Benefit may be payable to the member's eligible beneficiary(ies) if the member dies before retirement and while in service as a result of an accident occurring while in the performance of duty in an NHRS-covered position and not due to the member's willful negligence. The beneficiary(ies) of Group II members may also be eligible for Accidental Death Benefits payable as a result of repeated trauma, gradual degeneration, or occupational disease occurring while in the performance of duty.

- If the member was married at the time of death, the surviving spouse will receive a lifetime annual pension. For Group I members, the pension shall equal 50% of the member's Average Final Compensation at the date of the member's death. For Group II members, the pension shall equal 50% of the member's annual rate of earnable compensation at the date of the member's death. A refund of the member's accumulated contributions will also be paid to the member's designated beneficiary(ies) for both Group I and Group II.
- If the member leaves no surviving spouse, or if the surviving spouse dies, the pension will be payable to the member's children, until attainment of age 18.
- If the member leaves no surviving spouse and no children under age 18, the pension will be payable to the member's dependent mother or father for life.
- If the member leaves no survivors who are eligible for the annual pension, the member's designated beneficiary(ies) will receive a lump sum payment equal to the member's base salary plus accrued benefits not paid at the time of death, plus a refund of accumulated contributions.

Please note that this benefit may be reduced by amounts paid under Workers' Compensation or similar laws.

### DEATH OF MEMBERS WHO ARE NOT IN SERVICE

A member must be *in service* at the time of death for the beneficiary(ies) to be eligible for Ordinary or Accidental Death Benefits. If a member's death occurs when the member is not *in service*, only a refund of the member's accumulated contributions will be payable to the member's beneficiary(ies) or estate.



**DESIGNATION OF DEATH BENEFICIARY(IES) PRE-RETIREMENT**

**STEP 1** – To designate one or more primary beneficiary(ies), complete Section I.

**STEP 2** – To designate one or more contingent beneficiary(ies), who will receive the death benefit if the primary beneficiary(ies) is deceased at the time of the member’s death before retirement, complete Section II.

**STEP 3** – Section III must include the member’s signature, acknowledged in the presence of a Notary Public or Justice of the Peace. This form must be completed and filed with the New Hampshire Retirement System (NHRS) at the address noted above for this beneficiary designation to take effect. Members should retain a copy of this form for their records.

**NOTE** – If the member designates a trust as a beneficiary in Section I or II, the designation must provide the name and address of the trustee(s). In addition, a *Death Benefits Designation of a Trust as Beneficiary* form must also be completed.

(See reverse side for more information before completing this form.)

SECTION I – DESIGNATION OF PRIMARY BENEFICIARY(IES)					
I designate the following person(s), estate, or trust as my primary beneficiary(ies). To designate additional primary beneficiaries, initial here _____ and attach signed supplemental information to this form. The sum of the distribution percentages must equal 100%.					
Primary Beneficiary's Name	Distribution Percentage	Primary Beneficiary's Address	Primary Beneficiary's Social Security #	Primary Beneficiary's Date of Birth	Relationship to Member
1.	%				
2.	%				
3.	%				
4.	%				

SECTION II – DESIGNATION OF CONTINGENT BENEFICIARY(IES)					
I designate the following person(s), estate, or trust as my contingent beneficiary(ies). To designate additional contingent beneficiaries, initial here _____ and attach signed supplemental information to this form. The sum of the distribution percentages must equal 100%.					
Contingent Beneficiary's Name	Distribution Percentage	Contingent Beneficiary's Address	Contingent Beneficiary's Social Security #	Contingent Beneficiary's Date of Birth	Relationship to Member
1.	%				
2.	%				
3.	%				

SECTION III – MEMBER'S SIGNATURE AND ACKNOWLEDGMENT			
This designation of the above named beneficiary(ies) revokes any and all prior NHRS <i>Designation of Death Beneficiary(ies) (Pre-Retirement) (D-NHRS-2)</i> forms. I have read and understand the information on both sides of this form.			
Member's Name _____	Member's Address _____		
Member's Signature _____	Date _____ / _____ / _____	Social Security # _____ - _____ - _____	
State of _____	County of _____		
The foregoing instrument was acknowledged before me this _____ by _____			
_____	Date	_____	Member's Name
Signature of Person Taking Acknowledgment	Title (Notary Public or Justice of the Peace)	Expiration Date	Affix Seal

The New Hampshire Retirement System (NHRS) is governed by New Hampshire RSA 100-A, rules, regulations, and Federal laws including the Internal Revenue Code. NHRS also implements policies adopted by the Board of Trustees. These laws, rules, regulations, and policies are subject to change. Even though the goal of NHRS is to provide information that is current, correct, and complete, NHRS does not make any representation or warranty as to the current applicability, accuracy, or completeness of any information provided. The information herein is intended to provide general information only, and should not be construed as a legal opinion or as legal advice. Members are encouraged to address specific questions regarding NHRS with an NHRS representative. In the event of any conflict between the information herein and the laws, rules, and regulations which govern NHRS, the laws, rules, and regulations shall prevail.

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**DEATH BENEFITS DESIGNATION OF A TRUST AS BENEFICIARY**

**STEP 1** – Designate whether this form is being used for pre-retirement or post-retirement by checking the appropriate box.  
**STEP 2** – Upon the death of the member or retiree, and not later than the ninth month after the member or retiree’s death, the trustee shall provide NHRS with a copy of the trust instrument and all amendments, as certified by the trustee.

**Pre-Retirement:** Members may designate a trust as the beneficiary for certain pre-retirement death benefits on the *Designation of Death Beneficiary(ies) (Pre-Retirement) (D-NHRS-2)* form. The designation must provide the name and address of the trustee(s). Note: If the member’s death is an accidental death (job-related), the pension portion of the applicable death benefit must be paid to an eligible surviving spouse, minor children, or dependent parents. The applicable Accidental Death Benefits would only be payable to the trust in the event that none of those beneficiaries were living or eligible.

**Post-Retirement:** Retirees may designate a trust as the beneficiary for post-retirement death benefits. Each Group I (Employee and Teacher) or Group II (Police and Fire) retiree who has chosen either the Maximum Retirement Allowance or Option 1 may designate a trust as the beneficiary for post-retirement death benefits. Furthermore, each Group II retiree whose beneficiary(ies) is eligible to receive an additional lump sum death benefit may designate a trust as the beneficiary of that lump sum benefit. Designation of the trust as primary or contingent beneficiary is made on the appropriate retirement application. If changing beneficiaries after retirement, the retiree must complete a *Change of Death Beneficiary(ies) (Post-Retirement)* form. The designation must provide the name and address of the trustee(s).

**SECTION I – CONDITIONS AND ACKNOWLEDGEMENT** (Each statement must be initialed.)

- \_\_\_\_\_ 1. The member/retiree is the sole grantor of the trust.
- \_\_\_\_\_ 2. The trust is valid under New Hampshire law.
- \_\_\_\_\_ 3. Upon the death of the member/retiree, the trust is irrevocable and shall be certified by the trustee.
- \_\_\_\_\_ 4. I understand that NHRS is obligated to follow the terms of the relevant form on file at the time of the member’s or retiree’s death. For members, this is the *Designation of Death Beneficiary(ies) (Pre-Retirement) (D-NHRS-2)* form. For retirees, this is either the application for retirement or the *Change of Death Beneficiary(ies) (Post-Retirement)* form.
- \_\_\_\_\_ 5. I understand that NHRS is not responsible for ensuring the validity of the trust or for carrying out the terms of the trust in any way. It is the sole responsibility of the trustee to certify the validity of the trust and to administer the funds in a manner consistent with the trustee’s powers.
- \_\_\_\_\_ 6. I understand that if, upon the death of the member/retiree, the named trustee(s) cannot be located, is incapacitated, deceased, or refuses to receive the death benefit as trustee(s) of the trust, or if the trust is deemed invalid under Conditions 1, 2, and/or 3 above, the applicable death benefit would then be paid pursuant to RSA 100-A.

**SECTION II – MEMBER’S OR RETIREE’S SIGNATURE AND ACKNOWLEDGMENT**

Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Social Security # \_\_\_\_\_  
Month Day Year

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ by \_\_\_\_\_  
Date Member or Retiree’s Name

\_\_\_\_\_  
Signature of Person Taking Acknowledgment Title (Notary Public or Justice of the Peace) Expiration Date Affix Seal

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