

**95.865 Death of member -- No widow's or children's annuities payable -- Benefit to designated beneficiary.**

- (1) Upon death of a member, occurring while in active service, if no widow's annuity or children's annuities are payable, the designated beneficiary of the member or his estate shall be entitled to a death benefit equal to the total contributions made by the member, including those employee contributions picked up by the employer pursuant to KRS 65.155, without interest, or three hundred dollars (\$300), whichever is greater.
- (2) Upon death of a retired member, if no widow's annuity or children's annuities shall be due or payable, a death benefit shall be paid to the designated beneficiary or estate of the member, equal to the excess, if any, of the total contributions made by the member to this fund to the date of retirement, including those employee contributions picked up by the employer pursuant to KRS 65.155, without interest, over the total annuity payments received by the member. The minimum payment in such case shall be three hundred dollars (\$300). If a widow's annuity or children's annuities are payable after the death of the retired member, the amount of such death benefit, if any, shall be determined upon termination of annuity payments to all survivors of the member, whether such termination occurs by death, remarriage or other cause.

**Effective:** July 15, 1982

**History:** Amended 1982 Ky. Acts ch. 166, sec. 51, effective July 15, 1982. -- Created 1956 Ky. Acts ch. 16, sec. 15, effective July 1, 1956.