

Death & Survivor

benefits through TRSL

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General information

Beneficiary designations

We encourage you to keep your beneficiary information current with us. This will help avoid possible delays in the receipt of any benefits that are due.

Income tax

A TRSL survivor or beneficiary benefit is exempt from Louisiana state income tax. The benefit is subject to federal income tax, but the recipient may be eligible for a death benefit exclusion. To find out, TRSL recommends that you consult a professional tax advisor.

Insurance questions

For questions involving insurance, survivors and beneficiaries should contact the deceased member's insurance company or the personnel office of the deceased member's employer. If survivors do not know the name or address of the insurance company, the member's last employer should be able to help.

Legal assistance

Depending on the type of death payment being made from the deceased member's TRSL account, there may be instances when a potential recipient of a death payment will have to consult an attorney for legal assistance. One example of when an attorney's assistance may be necessary is when payment must be made to a deceased retiree's succession. However, in a majority of cases where a death payment is payable directly to a beneficiary or survivor, payment can be made through completion of applicable TRSL forms and by providing certain required information.

Need more information?

For more information on death and survivor benefits:

- Questions: AskTRSL.org
- Call us at 225-925-6446 or toll free (outside Baton Rouge) at 1-877-ASK-TRSL (1-877-275-8775)

Financial protection for your loved ones

Survivor or beneficiary?

TRSL wants to make sure that your loved ones receive any benefits to which they are entitled in the event of your death. That's why it's important to understand the provisions that govern death and survivor benefits, including the distinction between survivors and beneficiaries.

Survivor(s)

Survivors are spouses and/or minor children of members* who were actively working at the time of death. Survivor benefits may be payable if the member had at least five years of retirement service credit.

Minor children are also eligible survivors if the deceased member was a TRSL retiree or an inactive TRSL member.

**Does not include members participating in DROP or retired members who have returned to work.*

Beneficiary(ies)

Beneficiaries are not required to be related to an actively employed member or retiree.

- Upon the death of an actively working member, designated beneficiaries (or the member's estate if no beneficiaries are designated) are entitled to receive the employee contributions remaining in the member's account if no survivor benefits are payable.
- Designated beneficiaries* of retirees receive a retirement benefit from TRSL based upon the retirement option chosen by the retiree at the time he or she retired or entered DROP.

**NOTE: If the designated beneficiary of a retiree is someone other than the spouse, the election of the retirement beneficiary will be voided if there are minor children.*

Reporting the death

Survivors and beneficiaries should contact TRSL as soon as possible upon the death of an active or retired member. When a death is reported, TRSL will ask for the following information:

- Full name and Social Security number of the deceased
- Date of death
- Full name, address, and phone number of the survivor or contact person
- Names and ages of any surviving minor children or other eligible dependent children

NOTE: The retirement benefit of a TRSL retiree will be discontinued upon notification of his or her death. TRSL will automatically recover any benefits paid after the retiree's date of death.

Payment of benefits

TRSL issues benefit payments on the first of each month. The first benefit check is mailed to the survivor or beneficiary's mailing address.

TRSL is required by state law to make the second payment and subsequent payments by direct deposit into the financial institution selected by the survivor or beneficiary.



Establishing a trust for minor children of TRSL members

A member can create a trust for his or her children so that any benefits due the children after the member or retiree dies may be paid into the trust for the benefit of the children. The legal authority for this is found in LSA-R.S. 11:762 (J) and 11:783 (K).

Survivor benefits

If an actively working member* had at least five years of service credit (two of which were earned immediately prior to death) or at least 20 years of service (no matter when earned), the surviving spouse and/or minor child(ren) may be eligible for survivor benefits from TRSL as outlined on pages 6-9.

**Does not include members participating in DROP or retired members who have returned to work.*

Definition of a minor child

State law defines a minor child as an unmarried natural child or legally adopted child of a TRSL member under the age of 21, or an unmarried, full-time student under the age of 23.

- The TRSL member must be listed as the parent on the child's birth certificate or final adoption papers.
- If a male member of TRSL is not listed as the parent on the child's birth certificate, a court must make a judgment of filiation declaring the paternity of the child.
- Stepchildren do not qualify for survivor benefits.

An unmarried child who has acquired a disability, either physically or mentally, will be considered a "minor child" provided that he or she remains unmarried and the State Medical Disability Board certifies that the disability was acquired prior to age 21.

In cases where the deceased is a TRSL retiree, if the designated beneficiary is someone other than the spouse, the election of the retirement beneficiary will be voided if there are minor children.

No surviving minor child shall receive a survivor's benefit from more than one parent at any one time if both parents were TRSL members at the time of death. If two survivor benefits are applicable, only the larger shall be paid.

For deceased members with fewer than five years of TRSL service credit, a lump-sum refund of the member's contributions is paid to either the named beneficiary—who may or may not be the surviving spouse or minor child(ren) of the member—or to the member's estate if there is no named beneficiary.



Regular Plan

Survivor benefits for eligible spouses

Deceased members with at least 5, but less than 10 years of service credit:

- The surviving spouse with a minor child(ren) shall be paid 50% of the maximum monthly benefit the member would have received at the 2.5% formula or \$600, whichever is greater.

CONDITIONS: *The surviving spouse must be the natural or adoptive parent of the member's minor child. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse. All benefits cease when there is no longer an eligible minor child.*

Deceased members under age 60 with at least 10 years, but less than 20 years of service credit:

- The surviving spouse with no minor children shall be paid the monthly benefit that the member would have received at the 2.5% formula under Option 2 or \$600, whichever is greater. (See Option 2 note on page 8.)

CONDITIONS: *The spouse must have been married to the member at least one year prior to the member's death. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse.*

- The surviving spouse with a minor child(ren) shall be paid 50% of the maximum monthly benefit the member would have received at the 2.5% formula or \$600, whichever is greater.

CONDITIONS: *The spouse must have been married to the member at least one year prior to the member's death. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse. When minor child benefits are no longer payable to eligible children, the spousal benefit reverts to the Option 2 retirement benefit. (See Option 2 note on page 8.)*

Regular Plan (cont'd)

Survivor benefits for eligible spouses (cont'd)

Deceased members with at least 20 years or at least 10 years at age 60:

- The surviving spouse with no minor children will be eligible for a monthly benefit at the 2.5% formula under Option 2 or \$600, whichever is greater. (See *Option 2 note on page 8.*)

CONDITIONS: *The spouse must have been married to the member at least one year prior to death. Remarriage, at any age, does not impact payment of benefit.*

- The surviving spouse with a minor child(ren) shall be paid 50% of the maximum monthly benefit the member would have received at the 2.5% formula or \$600, whichever is greater.

CONDITIONS: *The spouse must have been married to the member at least one year prior to the member's death. When minor child benefits are no longer payable to eligible children, the spousal benefit reverts to the Option 2 retirement benefit. (See Option 2 note on page 8.)*

Survivor benefits for eligible minor children

Deceased member with at least 5 years of TRSL service credit:

Eligible minor children shall receive a monthly benefit equal to 25% of the member's maximum monthly benefit or \$300 per child, whichever is greater, not to exceed two children.

EXAMPLE:

- If the greater monthly benefit is \$300 per child, the maximum child benefit payable would be \$600.
 $\$300 \times \text{two children maximum} = \600
- If there are four eligible minor children, each would receive \$150 per month.



Understanding Option 2

Option 2 is the largest lifetime benefit a retiree can select for his or her spouse. It provides the retiree with a reduced monthly benefit and continues the same lifetime benefit to the beneficiary after the retiree's death. See page 13 for information about retirement benefit options.

In no event shall the total benefits paid to a spouse with a minor child(ren) be less than the Option 2 amount.



All TRSL forms are available online at
www.TRSL.org/forms.

REMEMBER: Write your name and Social Security number on each document you submit to TRSL.

School Food Service Plan B

Survivor benefits for Plan B members who were actively employed at the time of death are slightly different than Regular Plan benefits. They are as follows:

Survivor benefits for eligible spouses

Deceased members with at least 20 years of service credit:

The surviving spouse is eligible for a benefit equivalent to Option 2. (See Option 2 note on page 8.)

CONDITIONS: *The spouse must have been married to the deceased member at least one year immediately prior to death, and be at least 50 years of age. If the spouse remarries or becomes eligible for survivor or retirement benefits from Social Security, the benefit ceases.*

Deceased members with at least 30 years of service credit at age 55, or 10 years of service credit at age 60:

The surviving spouse is eligible for a lifetime benefit equivalent to Option 2, regardless of length of marriage, remarriage, age, or eligibility for Social Security benefits. (See Option 2 note on page 8.)

NOTE: *In cases where the deceased member did not meet any of the criteria listed above, a refund of member contributions will be paid to the named beneficiary. Otherwise, the refund will be issued to the member's estate.*

Survivor benefits for eligible minor children

All deceased Plan B members:

Minor child benefits are paid by Social Security for Plan B members.

IMPORTANT: If a TRSL member (regardless of plan type) dies within 30 days after the date of retirement or the beginning of DROP, any retirement option previously selected will be canceled. The member will be treated as an active member at the time of death, and any survivor benefits or refunds due will be paid in accordance with state law.

Applying for survivor benefits

To apply for survivor benefits, the applicant should complete the *Application for Survivor Benefits* (Form 13) and forward it to TRSL. The following documents should accompany the application:

- Copy of marriage certificate
- Copies of birth certificates for spouse and minor children (minor child's birth certificate certifying full name of parent(s))
- *Student Attendance Certification* (Form 13C) for each unmarried child over the age of 21, but not yet 23, who is a full-time student
- *Statement of Dependent's Marital Status* (Form 13M), for each eligible child age 18 and older
- Copy of the certified death certificate
- Copies of Social Security cards of spouse and minor children
- Certified copy of the legal court document confirming the name of minor children's tutor, when applicable
- Completed IRS tax withholding form W-4P
- *Direct Deposit of Benefits* (Form 15D) — Please note that minor children age 18 or older (as defined on page 5) must complete their own forms.

REMEMBER: *The surviving parent or tutor of a minor child under age 18 is required to sign all forms on behalf of the child for survivor benefits or beneficiary payments.*

(NOTE: Custody is not tutorship.)

Disability survivor benefits

TRSL offers a disability retirement pension for members who are totally and permanently unable to perform their job duties because of a disabling condition. Upon the death of a retiree who was receiving TRSL disability benefits, disability survivor benefits may be due to an eligible surviving spouse and/or minor child(ren).

More information on qualifying and applying for disability survivor benefits can be found in TRSL's handbook *Disability Retirement*, which is available on the TRSL website, www.TRSL.org.

Beneficiary payments

The payment of benefits to a beneficiary depends upon whether the deceased member was a retiree or an actively working member* at the time of death. The following information assumes that no survivor benefits apply.

**Does not include members participating in DROP or retired members who have returned to work.*

If the deceased member was a retiree

The designated beneficiary of a deceased TRSL retiree will receive a retirement benefit from TRSL based upon the retirement option chosen by the retiree at the time he or she retired or entered DROP. For more information about retirement benefit options, see page 13.

Death within 30 days after retirement date/DROP begin date: If the retiree's death occurred within 30 days after his or her retirement date or DROP begin date, the individual will be treated as an actively working member, and survivor benefits will be paid to an eligible surviving spouse and/or minor child(ren). See pages 6-9.

- If there is no surviving spouse or minor children, the member's employee contributions will be paid to the most recently designated beneficiary prior to submission of the retirement or DROP application.
- If there is no designated beneficiary, the employee contributions will be paid to the member's estate.

If the deceased member was actively working at the time of death

A lump-sum refund of the member's contributions will be paid to the designated beneficiary (or the member's estate, if no beneficiary is named) in the following situations:

- deceased member had less than five years of service credit, or
- deceased member had five or more years of service credit, but no eligible surviving spouse or minor children.

If the deceased member had at least five years of service credit and had eligible survivors, survivor benefits will be paid in accordance with survivor benefit provisions. See pages 6-9.

Applying for a refund of member contributions when no survivor benefits are payable

Whether spousal or non-spousal, beneficiaries, whose names are listed on the most recent beneficiary form on file at TRSL, will need to complete an *Application for Refund of Deceased Member's Contributions* (Form 13A).

Additionally, the following documents are needed to process a refund of contributions:

- Copy of the certified death certificate
- Copy of Social Security card(s) for the beneficiary(ies)
- Certified copy of the legal court document confirming the name of minor children's tutor, if applicable, or copy of the minor child's birth certificate certifying full name of parent still living
- Federal tax identification number, if the refund is payable to the estate*, and:
 - a certified copy of the document by which the succession representative was appointed;
 - or affidavit of small succession prepared by the heir's own attorney;
 - or Judgment of Possession;
 - or *Application for Payment to Surviving Spouse/Children* (Form 13E) if there is a surviving spouse or children of majority age.

REMEMBER: *The surviving parent or tutor of a minor child under age 18 is required to sign all forms on behalf of the child for survivor benefits or beneficiary payments.*

(NOTE: Custody is not tutorship.)

**Estate payments are not rollover-eligible.*

Retirement benefit options

At the time of retirement or entering DROP, members complete an affidavit designating a beneficiary(ies) under one of the nine options in the chart below. When a retiree dies, TRSL will pay the designated beneficiary according to the benefit option reflected on the retirement affidavit. If the designated beneficiary is someone other than a spouse, the election of the retirement beneficiary will be voided if there are minor children eligible for survivor benefits.

Maximum Option	Retiree receives the maximum amount, and there is no beneficiary.
Option 1	Beneficiary(ies) receives a lump-sum distribution of any remaining member contributions. More than one beneficiary can be designated, and can be changed at any time by the retiree.

Under the following benefit options, only one beneficiary can be named and cannot be changed.

Option 2	Beneficiary receives same amount that retiree was receiving every month for the remainder of the beneficiary's life.
Option 2A *	
Option 3	Beneficiary receives half of the amount retiree was receiving every month for the remainder of the beneficiary's life.
Option 3A *	
Option 4	Beneficiary receives the amount specified by the retiree at the time of retirement every month for the remainder of the beneficiary's life.
Option 4A *	

***Pop-up option conditions:** If the beneficiary dies before the retiree, the retiree's reduced benefit "pops up" to the Maximum Option.

Guaranteed Return of Employee Contributions (GREC): In the event the total benefits paid to a member, their beneficiary, and/or survivor is less than the contributions the member paid to TRSL, a refund of the difference will be paid to the member's estate.

Annual COLA Option (ACO): An additional retirement option in which the spousal beneficiary receives a lifetime benefit based upon the benefit option the retiree selected at retirement and a 2.5% annual cost-of-living adjustment (COLA) starting on retiree's anniversary date following what would have been the retiree's 55th birthday. Non-spousal beneficiaries are ineligible for ACO. For more information, see our [Annual COLA Option \(ACO\)](#) brochure at www.TRSL.org.

Deferred Retirement Option Plan (DROP) or Initial Lump-Sum Benefit (ILSB) beneficiary

DROP or ILSB participants must designate a beneficiary for the DROP/ILSB benefit. It is possible for the participant to name someone other than the person(s) named as a beneficiary(ies) of the regular retirement benefit. The following information applies to DROP/ILSB beneficiary(ies) upon the death of a DROP/ILSB retiree:

Spousal beneficiaries

- If deceased DROP/ILSB retiree **had not** begun account withdrawals, a spousal DROP/ILSB beneficiary will need to select a withdrawal method by submitting a *DROP or ILSB Retiree Spousal Beneficiary Request for Withdrawal Selection (Form 11K-S)*.
- If deceased DROP/ILSB retiree **had** begun account withdrawals, the spousal DROP/ILSB beneficiary can continue the same withdrawals or change the withdrawal method previously selected by the retiree, subject to the same rules that apply to DROP/ILSB retirees. Whichever option is desired, the spousal beneficiary must complete and submit a *DROP or ILSB Retiree Spousal Beneficiary Request for Withdrawal (Form 11M-S)*.
- If deceased retiree did not designate his/her spouse as beneficiary to receive at least a 50% split of the DROP/ILSB account **or** if the spouse did not sign and submit to TRSL a *DROP or ILSB Account Spousal Consent* (Form 11G), then the spouse will default as 50% beneficiary.

Nonspousal beneficiaries: A nonspousal beneficiary should complete and submit a *DROP or ILSB Retiree Nonspousal Beneficiary Request for Withdrawal Selection (Form 11K)*. A nonspousal beneficiary must withdraw the entire DROP/ILSB account balance at that time.

DROP/ILSB balance due estate: If a deceased DROP/ILSB retiree did not name a beneficiary for the DROP/ILSB account, the balance in this account will be paid to the member's estate. The estate or heirs must complete and submit a *DROP or ILSB Retiree or Beneficiary's Estate or Successor's Request for Withdrawal (Form 11K-E)*.

- In the event the DROP/ILSB account beneficiary dies after the retiree's death, any remaining DROP/ILSB account balance will be paid to the beneficiary's estate.
- Estate payments are not rollover-eligible.

For more information, please review our brochure *DROP/ILSB Withdrawals* on TRSL's website, **www.TRSL.org**.

Other TRSL publications:

- ***DROP Handbook: A guide to the Deferred Retirement Option Plan.*** Know the specifics of this optional plan so you can decide if it's right for you.
- ***Initial Lump-Sum Benefit (ILSB).*** Get information about another optional plan for eligible TRSL members.
- ***Purchases & Transfers of Service Credit.*** Get information about the types of service credit eligible for purchase and transfer to TRSL and how the process works.
- ***Designating a beneficiary.*** Learn how to designate a beneficiary and complete a beneficiary form.
- ***TRSL Disability Retirement.*** Understand the eligibility requirements and the application process for a TRSL disability retirement.
- ***Sick Leave & Conversion to Service Credit.*** Understand what happens to your unused sick and annual leave upon retirement.
- ***Community Property & TRSL Benefits.*** Louisiana is a community property state. Find out what this means for you and your TRSL retirement benefits.
- ***Special Tax Notice Regarding TRSL Payments.*** Payments from TRSL may be subject to certain taxes. Find out how you may be affected.
- ***Taking a Refund of Your Contributions.*** Specific provisions govern the withdrawal of your member contributions from TRSL. Make sure you know them.
- ***Social Security & TRSL Benefits.*** If you're counting on Social Security income in retirement, find out how certain federal laws could impact you.
- ***Returning to Work after Retirement.*** Find out if your TRSL benefit will be impacted if you decide to return to work.

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This is an electronic document. The Teachers' Retirement System of Louisiana did not incur any printing costs.

Financial protection for your loved ones

We're here to help!

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