

§18405. Remarriage after retirement

If the recipient of a reduced service retirement benefit under section 18404, subsection 3, 4, 5-A or 5-B remarries after the recipient's spouse dies, the following provisions apply. [PL 1999, c. 744, §15 (AMD); PL 1999, c. 744, §17 (AFF).]

1. Election of benefit for new spouse. The recipient may elect to have the reduced retirement benefit paid under the same option to the new spouse after the recipient's death instead of continuing the original reduced retirement benefit to the recipient during the recipient's lifetime, under the following conditions.

A. The original spouse must have been the sole beneficiary of the reduced retirement benefit under section 18404, subsection 3, 4, 5-A or 5-B; and [PL 2001, c. 118, §9 (AMD).]

B. [PL 1987, c. 612, §8 (RP).]

C. [PL 1987, c. 612, §8 (RP).]

D. The recipient must have been married to the new spouse for at least 6 months. [RR 2023, c. 2, Pt. B, §140 (COR).]

[RR 2023, c. 2, Pt. B, §140 (COR).]

2. Time and manner of election. The recipient may make the election under subsection 1 at any time after the death of the original spouse and remarriage to the new spouse by:

A. Sending a written request to the chief executive officer; and [PL 1985, c. 801, §§5, 7 (NEW); PL 2021, c. 548, §45 (REV).]

B. [PL 1987, c. 612, §10 (RP).]

C. Submitting evidence of the death of the former spouse and date of marriage to the new spouse. [PL 1987, c. 612, §10 (NEW).]

[PL 1987, c. 612, §10 (AMD); PL 2021, c. 548, §45 (REV).]

3. Amount of benefit. The amount of the benefit payable under the option elected shall be the actuarial equivalent, at the date of the beginning of payment of benefits under this section, of the amount of reduced retirement benefits the qualifying member has been receiving.

[PL 1985, c. 801, §§5, 7 (NEW).]

4. Effective date of coverage of new spouse. The effective date of the designation of the new spouse as the recipient's new beneficiary will be the date the request is received or 6 months after the date of remarriage, whichever comes later. The recipient's retirement benefit shall be adjusted on the first day of the month following the effective date of the new designation of beneficiary.

[PL 1987, c. 612, §11 (NEW).]

SECTION HISTORY

PL 1985, c. 801, §§5,7 (NEW). PL 1987, c. 612, §§7-11 (AMD). PL 1999, c. 744, §15 (AMD). PL 1999, c. 744, §17 (AFF). PL 2001, c. 118, §9 (AMD). PL 2021, c. 548, §45 (REV). RR 2023, c. 2, Pt. B, §140 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.