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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 1st Session, 2019**

<b>Bill Number</b>	<u>SB664/SJCS/SPACS</u>	<b>Sponsor</b>	<u>SPAC</u>
<b>Tracking Number</b>	<u>.214134.4</u>	<b>Committee Referrals</b>	<u>SPAC/SJC</u>
<b>Short Title</b>	<u>Educational Retirement Benefit to Spouses</u>		
<b>Analyst</b>	<u>Sena</u>	<b>Original Date</b>	<u>3/7/19</u>
		<b>Last Updated</b>	<u></u>

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**BILL SUMMARY**

Synopsis of Bill

The Senate Public Affairs Committee Substitute for Senate Judiciary Committee Substitute for SB664 (SB664/SJCS/SPACS) amends Section 22-11-19 NMSA 1978 of the Educational Retirement Act to make a surviving spouse or domestic partner the beneficiary of a deceased member of New Mexico's educational retirement plan if no other beneficiary has been designated.

**FISCAL IMPACT**

The bill does not contain an appropriation.

**SUBSTANTIVE ISSUES**

Currently, in the case of a death of a member who has not designated a beneficiary, statutory provisions require that benefits be distributed to the member's estate. SB664/SJCS/SPACS includes provisions that would allow a surviving spouse or domestic partner of a vested member to choose to receive either a survivor benefit or a refund of the member's contributions, plus interest. If the deceased member were not yet vested, the surviving spouse or domestic partner would receive a refund of the member's contributions plus interest.

The Educational Retirement Board (ERB) notes the bill is similar to a provision available to certain members covered by the Public Employees Retirement Act.

**ADMINISTRATIVE IMPLICATIONS**

ERB analysis points out that programming changes may need to be made in its pension management software system so that an eligible surviving spouse or surviving domestic partner may be considered a beneficiary if a member has not otherwise designated one.

**RELATED BILLS**

SB14, Educational Retirement Changes

HB360, Educational Retirement Changes

**SOURCES OF INFORMATION**

- LESC Files

**JDS/mhg**