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2 FROM THE OFFICE OF JOSPEH J. CZARNEZKI
3 MILWAUKEE COUNTY CLERK
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5 County Ordinance No. 15-19
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7 File No. 15-759
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10 The County Board of Supervisors of the County of Milwaukee does ordain as follows:
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12 **Section 1.** Section 201.24(7.1) is amended to read as follows:
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14 **7.1. Optional benefits.**
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16 (1) By filing an application with the board prior to the date on which the
17 member'shis pension is due to commence a member may elect to convert the
18 member'shis pension payable only during his or her life into another form in accordance
19 with the following options:
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21 ~~Option 1. A reduced pension payable during his life, with the provision that the~~
22 ~~balance in his accumulated membership account as of the date of his retirement~~
23 ~~over the payments he has received that are attributable to that account,~~
24 ~~disregarding any post-retirement pension adjustment, shall be paid to his~~
25 ~~beneficiary.~~
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27 (a) 50% survivor benefit~~Option 2.~~ A reduced pension payable during the
28 member'shis life, with the provision that after the member'shis death a
29 pension at one-half (½) of the member'shis reduced pension shall be
30 continued during the life of, and shall be paid to, the member'shis
31 beneficiary as the member shall have nominated by written designation
32 duly executed and filed with the system at the time of retirement.
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34 (b) 100% survivor benefit~~Option 3.~~ A reduced pension payable during the
35 member'shis life, with the provision that after the member'shis death it
36 shall continue in the same amount during the life of, and shall be paid to,
37 such beneficiary as the memberhe shall have nominated by written
38 designation duly executed and filed with the systemboard at the time of
39 retirement.
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41 (c) 25% survivor benefit. A reduced pension payable during the member's
42 life, with the provision that after the member's death a pension at twenty-
43 five percent (25%) of the member's reduced pension shall be continued
44 during the life of, and shall be paid to, such beneficiary as the member
45 shall have nominated by written designation duly executed and filed with
46 the system at the time of retirement.

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(d) 75% survivor benefit. A reduced pension payable during the member's life, with the provision that after the member's death a pension at seventy-five percent (75%) of the member's reduced pension shall be continued during the life of, and shall be paid to, such beneficiary as the member shall have nominated by written designation duly executed and filed with the system at the time of retirement.

(e) Ten-year certain annuity. This form of benefit provides a reduced monthly benefit payable to the member for his or her lifetime. If a member who is receiving this form of benefit dies before receiving one hundred twenty (120) monthly payments, then monthly payments in the amount payable at the time of the member's death shall continue to the member's designated beneficiary until a total of one hundred twenty (120) payments have been made in the aggregate to the member and his or her designated beneficiary (or, if the member's designated beneficiary has predeceased the member or dies before a total of one hundred twenty (120) payments have been made, then to the member's spouse, or, if none, then to the member's estate). The amount of the benefit shall be computed pursuant to tables supplied by the actuary to the board.

(2) The aggregate of the pension payments expected to be paid to the member under option 1 or to the member and the member's contingent pensioner under paragraphs (1)(a) through (e) above option 2 or 3 shall be the actuarial equivalent of the pension which the member is otherwise entitled to receive upon retirement.

(3) Any member in active service who has attained age fifty-five (55) and has completed thirty (30) years of service or has attained age sixty (60), or who, pursuant to section 4.1 or a collective bargaining agreement, has attained is eligible to retire and receive for a pension, or if a deputy sheriff has either attained age fifty-seven (57), or attained age fifty-five (55) and completed fifteen (15) years of service, [he] may elect a protective survivorship option by selecting the 100% survivor benefit option 2 or 3 in the manner hereinafter set forth, which option shall then become effective at the member's death with the same force and effect as if such member had retired under such option immediately prior to his or her death. The election of such option shall be in writing on a form prescribed by the board and may be revoked at any time prior to retirement. If the designated beneficiary shall die or if the designated beneficiary is the member's spouse and a divorce is granted prior to the member's retirement, the election shall be automatically revoked. If any member eligible to elect an option shall die in active service, without electing an option 100% survivor benefit, the member's surviving spouse shall be paid a survivorship pension equal to the amount that would have been payable if such member had retired under option 3 and elected a 100% survivor benefit immediately prior to his or her death except where the member has designated a beneficiary to receive in lieu of the survivorship pension payable under option 3 a lump sum payment of the balance in his membership account plus the death benefit payable under section 6.3.

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~~The foregoing provision shall apply with retroactive effect to all employees who died in active service since July 15, 1969, provided, however, that any spouse who has received a lump sum benefit shall not be entitled to a pension unless such lump sum is repaid on or before June 1, 1972.~~

~~(4) During any month in which a survivor's pension is payable under section 6.1 or 6.4 the amount of the survivorship pension payable under this section shall be reduced by such amounts.~~

Section 2. Section 201.24(7.2) is repealed.

~~**7.2 Other forms of payment.**~~

~~The board may, in its sole discretion, at the request of a member or contingent pensioner, direct that any benefit provided by the system be paid in some form other than that expressly set forth in the system, provided that payments in such other form shall be the actuarial equivalent of the benefit otherwise payable. The board shall, if it deems it appropriate, require a member or contingent pensioner to submit evidence of good health as a condition to receipt of any such other form of payment particularly any lump sum payment.~~

~~Notwithstanding anything herein to the contrary, if the actuarial value of a member's benefit under any optional benefit is less than fifty (50) percent of the value of the benefit otherwise payable to the member, the optional benefit shall be adjusted so that the value of the member's benefit under the option will be equal to fifty (50) percent of the value of the benefit otherwise payable to the member.~~

Section 3. The provisions of this ordinance shall be effective upon passage and publication.

**Adopted by the Milwaukee County Board of Supervisors
December 17, 2015**