

## **13<sup>th</sup> Check Designation of Beneficiary Frequently Asked Questions (FAQ)**

- Q1. What is the definition of an “eligible surviving spouse”?
- A1. The spouse who was legally married to the member during some period of the member’s employment as a Tampa firefighter or police officer – and – the same spouse who was legally married to the member at the time of the member’s death is an “eligible surviving spouse”.
- Q2. I have been retired since 1980 and I have an eligible surviving spouse, may I choose to designate a beneficiary for my 13<sup>th</sup> check benefit other than my eligible surviving spouse?
- A2. No. Your eligible surviving spouse is entitled to your 13<sup>th</sup> check benefit should you pass away before it is paid. You may not disenfranchise an eligible surviving spouse for the 13<sup>th</sup> check benefit.
- Q3. I have been retired since 1980, but I have remarried since then, may I designate a beneficiary for my 13<sup>th</sup> check benefit other than my current spouse?
- A3. Yes. Since you married or remarried after retirement, your current spouse is not an eligible surviving spouse and would not automatically receive your 13<sup>th</sup> check benefit if you pass away before it is paid.
- Q4. I have been retired since 1980, but I have remarried since then, may I designate my current spouse as my 13<sup>th</sup> check beneficiary?
- A4. Yes. You may choose to designate anyone you wish as long as you do not have an eligible surviving spouse.
- Q5. I retired in 2005 and have selected Option 3A – Joint Annuitant 100%. Can I designate a beneficiary for my 13<sup>th</sup> check other than my joint annuitant?
- A5. Yes, but the designated beneficiary would receive the 13<sup>th</sup> check only if there is no eligible surviving spouse.
- Q6. I retired in 2005 and have selected Option 1 – Normal/Default as my optional form of payment and I have an eligible surviving spouse who is in poor health and I expect to predecease me, may I fill out this form now to designate a beneficiary for my 13<sup>th</sup> check other than my eligible surviving spouse just in case?
- A6. Yes; however, if your eligible surviving spouse does not predecease you, then your 13<sup>th</sup> check designation of beneficiary form would not be effective and the benefit would automatically be paid to your eligible surviving spouse.

- Q7. I retired in 2005 and chose Option 2 – Life Only as my optional form of payment and do not have an eligible surviving spouse. May I designate a beneficiary to receive my 13<sup>th</sup> check should I pass away before it is paid?
- A7. Yes.
- Q8. I retired in 2005 and chose Option 2 – Life Only as my optional form of payment, but I do have an eligible surviving spouse. May I designate a beneficiary to receive my 13<sup>th</sup> check other than my spouse?
- A8. No. Your eligible surviving spouse would automatically receive your 13<sup>th</sup> check should you pass away before it is paid, even though your spouse would not receive any ongoing monthly pension benefits since you chose Option 2 – Life Only.
- Q9. I retired in 1980 while married to Henrietta. Henrietta and I divorced in 1990, but then we remarried in 2000. If I pass away in 2008, is Henrietta considered to be my eligible surviving spouse?
- A9. Yes. Henrietta meets the definition of eligible surviving spouse because you were married while you were active and married to the same spouse at the time of your death.
- Q10. I retired in 1980 while married to Ernestine. Ernestine and I divorced in 1990. I married Phillipa in 2000. If I pass away in 2008, is Phillipa considered to be my eligible surviving spouse?
- A10. No. You were not married to Phillipa while you were an active Tampa firefighter or police officer, so even though you were married to Phillipa at the time of your death, Phillipa is not your eligible surviving spouse.
- Q11. In that same scenario, is Ernestine considered to be my eligible surviving spouse?
- A11. No. You were not legally married to Ernestine at the time of your death, so Ernestine is not your eligible surviving spouse.
- Q12. In that same scenario, could I choose to designate either Ernestine or Phillipa to receive my 13<sup>th</sup> check?
- A12. Yes. Since you have no eligible surviving spouse, you may choose anyone to receive your 13<sup>th</sup> check benefit should you pass away before it is paid.
- Q13. If I don't have an eligible surviving spouse, can I designate more than one person to be my 13<sup>th</sup> check beneficiary?
- A13. Yes. The 13<sup>th</sup> check benefit would be distributed according to your specific instructions on the 13<sup>th</sup> check designation of beneficiary form, such as splitting the benefit 50%-50% between two primary beneficiaries should you make that choice and pass away before the 13<sup>th</sup> check benefit is paid.

- Q14. I have no eligible surviving spouse. What if my primary beneficiary on my 13<sup>th</sup> check designation of beneficiary form dies before the 13<sup>th</sup> check benefit I was entitled to is paid?
- A14. Then the 13<sup>th</sup> check would be distributed according to your specific instructions on the 13<sup>th</sup> check designation of beneficiary form, to your contingent beneficiary or beneficiaries, such as splitting the benefit between four children.
- Q15. I have no eligible surviving spouse. Can I choose multiple primary beneficiaries and multiple contingent beneficiaries to receive my 13<sup>th</sup> check benefit should I pass away before that 13<sup>th</sup> check benefit is paid?
- A15. Yes. A primary beneficiary or beneficiaries are just that—primary or first. Should the primary beneficiary or beneficiaries pass away before that 13<sup>th</sup> check benefit is paid, then the contingent beneficiary or beneficiaries on the back of the form would receive the benefit.
- Q16. What if my eligible surviving spouse and primary beneficiary/beneficiaries and contingent beneficiary/beneficiaries are all deceased when a 13<sup>th</sup> check benefit to which I was entitled is paid?
- A16. The 13<sup>th</sup> check benefit would be paid to the member's estate.

Note: These examples are intended to provide broad, general examples only and are not intended to provide personal tax or financial planning advice or estate planning advice. If there is a conflict between this Frequently Asked Questions (FAQ), P&P 425A – 13<sup>th</sup> Check Designation of Beneficiary, the 13<sup>th</sup> Check Designation of Beneficiary form promulgated by the Board of Trustees and the pension contract, the terms of the pension contract shall prevail.

Reviewed by Board Counsel 2/28/2008  
Approved by the Board of Trustees 2/28/2008