



The Equity in Survivor Benefits Amendment Act of 2012 (D.C. Law 19-301), is effective May 1, 2013. This District law reduces the age from 60 to 55 at which a surviving spouse under the District of Columbia Police Officers and Firefighters' Retirement Plan and the Teachers' Retirement Plan* may remarry without losing his/her surviving spouse benefit. See D.C. Code §§ 5-716(e)(1); 38-2021.05(b)(1) and 38-2021.09(b)(1) (2001)

- ★ *Age 55** applies to surviving spouses who remarry (and under the Teachers' Plan only, surviving domestic partners who register for a subsequent domestic partnership) on or after May 1, 2013. If you remarried (and under the Teachers' Plan only, registered a new domestic partnership) prior to May 1, 2013, age 60 applies.*

For purposes of this law, the District government is only liable financially for District contributions to and payments from the District of Columbia Teachers' Retirement Fund, established by D.C. Code § 1-713, and the District of Columbia Police Officers and Fire Fighters' Retirement Fund, established by D.C. § 1-712, for those benefits accrued or earned after June 30, 1997. For benefits accrued or earned on or before June 30, 1997, that are the financial responsibility of the U.S. Department of the Treasury, the remarriage age remains at 60.

** The Teachers' Retirement Plan also recognizes surviving domestic partners for survivor benefits accrued or earned after June 30, 1997. The Federal government does not recognize domestic partners for retirement purposes.*

*** Age 55 also applies to a former spouse entitled to a survivor benefit under a qualified domestic relations order under the D.C. Spouse Equity Act of 1988 (D.C. Code § 1-529.03(e)(2)).*

What This Means for You:

- ★ *For surviving spouses of members who performed service only after June 30, 1997, if you remarry at age 55 or later, your surviving spouse benefit continues uninterrupted.*
- ★ *For surviving spouses of members who performed service only after June 30, 1997, if you remarry prior to age 55, your surviving spouse benefit is terminated.*
- ★ *For surviving spouses of members who performed service on or before June 30, 1997, if you remarry at age 60 or later, your surviving spouse benefit continues uninterrupted.*
- ★ *For surviving spouses of members who performed service on or before June 30, 1997, if you remarry prior to age 55, your surviving spouse benefit is terminated.*
- ★ *For surviving spouses of members who performed service before, on and after June 30, 1997, if you remarry between ages 55 and 60, your surviving spouse benefit is reduced to the amount funded by the District government.*
- ★ *In the event your surviving spouse benefit was terminated or reduced as a result of remarrying before age 55/60, upon annulment, divorce, or death of your spouse, your terminated or reduced benefit will be restored.*