

20:16:17:20. Amount of additional survivor protection benefits -- Termination. The additional survivor protection payable under § 20:16:17:19 shall, on the death of the employee or expiration of benefits that may have been paid pursuant to § 20:16:17:17 because there is no eligible child, entitle the surviving spouse to an annual amount, payable in monthly installments, equal to 40 percent of the highest annual earnings earned by the employee during any one of the last three years of credited service multiplied by the improvement factor for each full 12-month period between the earlier of the date of death or disability of the employee and the date the payment of the benefit is due to start. The additional survivor protection allowance shall continue until the spouse dies or attains age 65, whichever is earlier.

Source: 28 SDR 109, effective February 11, 2002; 36 SDR 207, effective July 1, 2010; 40 SDR 197, effective May 27, 2014.

General Authority: SDCL 3-12-222.

Law Implemented: SDCL 3-12-218, 3-12-219.