

20:16:19:40. Minimum distribution requirements. Benefit payments under the plan must begin by the later of April 1 of the calendar year following the year in which the participant reaches age 70½ or retires. The participant's entire interest in the plan shall be distributed over the life of the participant or the lives of the participant and a designated beneficiary over a period not extending beyond the life expectancy of the participant or the life expectancy of the participant and the designated beneficiary. If a participant dies after distribution of benefits has begun, the remaining portion of the participant's interest shall be distributed at least as rapidly as under the method of distribution prior to the member's death. If a participant dies before distribution of benefits has begun, the entire interest of the participant shall be distributed within five years after the participant's death. The five-year payment requirement does not apply to any portion of the participant's interest that is payable to a designated beneficiary over the life or life expectancy of the beneficiary and that begins within one year after the date of the participant's death. The five-year payment requirement does not apply to any portion of the participant's interest that is payable to a surviving spouse payable over the life or life expectancy of the spouse that begins no later than the date the participant would have reached age 70½.

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.