



STATE OF OKLAHOMA

DEATH BENEFITS

To obtain certified copies of registered personal documents, contact the Department of Health, P. O. Box 53551, Oklahoma City, OK 53551-73152, phone (405) 271-4040.

STATE DEATH BENEFITS

Title 85--Sections 131 through 177

\$40,000 is paid from the State Group Insurance; **\$4,000** is paid from the pension plan; **\$10,000** is paid to the widows and **\$2,500 to \$5,000** is paid to the surviving dependent children. **For more information contact the Department of Public Safety, State Insurance Fund, 4545 N. Lincoln Blvd., Suite 183, Oklahoma City, OK 73100.**

STATE PENSION BENEFITS

For eligible members, the **Oklahoma Police Pension and Retirement System** pays a death benefit of **\$4,000**. A monthly pension not to exceed the accrued retirement benefit or normal disability benefit is paid to the spouse until the children reach the **age of 18**.

House Bill 1035 was signed into law on May 3, 1993. This new law **allows surviving spouses to remarry** and keep their pension. Once a surviving spouse starts receiving retirement benefits, that spouse will continue to receive the benefit until their death.

Upon the death of any member prior to retirement, a **monthly pension shall be paid** which shall be in an amount as provided below:

1. If the member was not retired and death occurred as the direct result of the performance of the member's duties as an officer, **an amount equal to the monthly payments which would have been received by the member had the member been totally disabled.**

The pension should be paid:

1. To the surviving spouse provided the **surviving spouse was married to the member continuously for the thirty-six months immediately preceding the member's retirement date**, provided



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surviving spouse of a member who died while in, or as a consequence of, the performance of the member's duty for the employer, shall not be subject to the thirty-six month marriage requirement for survivor benefits. Upon remarriage of the surviving spouse, benefits would **not be changed**.

2. If there is no eligible surviving spouse or upon the death of a spouse, **to the person having the care and custody of any surviving child or children of said member for such time as such child or children are under the age of eighteen (18) years; or**
3. If there be no surviving spouse or children under the age of eighteen (18), to the **dependent parent or parents of said member, for life.**

In addition to the pension above provided for, if said member leaves a surviving spouse and one or more children under the age of eighteen (18) years, **One Hundred Dollars (\$100) a month** shall be paid from said Fund for the support of each surviving child to the person having the care and custody of such children during such time as said spouse remains alive and until each child reaches the age of eighteen (18).

For additional information members may contact the Oklahoma Law Enforcement Retirement System, P.O. Box 11415, Oklahoma City, OK 73136; (405) 425-2136.

EDUCATION BENEFITS

Children of law enforcement officers killed in the line of duty may attend **any Oklahoma state college or university tuition free**. The waiver of tuition is limited to a period of five (5) years.

Contact the Oklahoma Law Enforcement System, P.O. 11415, Oklahoma City, OK 73136; (405) 425-2136.

HEALTH BENEFITS

Health plans vary. Check with your local department to determine benefit packages available.

Check with the Department of Public Safety Insurance, P.O. Box 11415, Oklahoma City, OK 73136; (405) 425-2136.



WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for employers in Oklahoma.

Benefit is **50%** of employee's wage for spouse and **75%** for spouse with child(ren) with a **maximum weekly benefit of \$307**. Spouse receives lump sum of **\$10,000** and **\$2,500 for each child** (not to exceed \$5,000 for children).

Two-year lump sum payable to spouse upon **remarriage and weekly benefits cease**. Children receive benefits until age 18 or beyond 18 if disabled, or until age 23 if full-time students. Where there are no dependents, **\$5,000 will be paid to decedent's estate for burial expenses**.

To receive workers' compensation benefits the surviving spouse **must take the initiative** and file a workers' compensation claim through a **workers' compensation attorney** to receive any compensation. The determination as to whether the claim will be paid will be determined by the Workers' Compensation Appeals Board.

Contact the Workers' Compensation Court, 1915 North Stiles, Oklahoma City, OK 73105-4904, telephone (405) 557-7600.

PERSONAL LIFE POLICIES

Descent and Distribution: Intestate property descends and is distributed:

Prior to July 1, 1985

(A) To surviving spouse:

- (1) with no issue, and if there be no father, mother, brother or sister of deceased, or if there be no issue and property was acquired during coverture by joint industry of husband and wife, all;
- (2) with one child or its issue, one-half;
- (3) with more than one child or their issue, one-third;
- (4) with no issue but if there be parents or brother or sister of deceased, one-half;
- (5) where deceased was married more than once, of property not acquired during coverture, equal share only with each of children or issue.

(B) Remainder, or all if there be no surviving spouse goes:

- (1) to issue, equally if in same degree, otherwise by representation, and if any surviving child dies as unmarried



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- minor, his share descends equally to surviving children of same parent or their issue equally if in equal degree of kinship with child, otherwise by representation;
- (2) if no issue or parents, then to decedent's parents equally or their survivor;
 - (3) if no such issue or parents, then to decedent's brothers and sisters, then to next of kin in equal degree except those claiming through nearest ancestor are preferred to those claiming through ancestor more remote. If deceased minor leaves no surviving spouse or issue, estate goes to parents equally, or if separated, to that parent having care of the deceased.

Beginning July 1, 1985:

(A) To surviving spouse

- (1) with no issue, and if no parent or brother or sister, all;
- (2) with no issue but parent or parents, brother or sister, all property acquired during coverture by joint industry and equal part in remaining estate with living children and lawful issue of deceased children, by representation.

(B) Remainder, or all if no surviving spouse goes:

- (1) to issue, equally if in same degree, otherwise by representation;
- (2) if no issue, then to decedent's parents equally or their survivor;
- (3) if no issue or parent, then equally to issue of decedent's parents by representation;
- (4) if no issue, parent, nor issue of parents then half to paternal grandparents or grandparent, or, if none survive, equally to issue of any paternal grandparent by representation, and other half in like manner to maternal grandparents or issue of maternal grandparent, but if decedent survived by grandparents or issue of grandparent on only one side then entire estate to such survivors;
- (5) if no issue, parent, issue of parents, grandparent, nor issue of grandparent, to next of kin in equal degree.

(C) If no spouse, issue, parent, issue of parents, grandparent, issue of grandparent, nor kindred, then estate escheats to state for support of common schools.

PEER SUPPORT ORGANIZATION

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Established in 1984, **Concerns of Police Survivors, Inc., (COPS)**, is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. COPS has become a “lifeline” to police survivors nationwide. **Contact the COPS National Office or visit www.nationalcops.org/chap.htm for information on a chapter in your area.**

ADDITIONAL BENEFITS

The **Oklahoma State Lodge of the FOP** will pay a death benefit of **\$1,000**.

The **Oklahoma State Troopers Association** will pay a **\$4,000** benefit for burial expense to dependent of its members.

An Oklahoma Law Enforcement Memorial is located at **The Department of Public Safety State Headquarters, 3600 N. King Avenue, Oklahoma City, OK 73105**.

