

**BOARD OF TRUSTEES OF THE
EMPLOYEES' RETIREMENT SYSTEM OF THE
CITY OF BALTIMORE**

**POLICY GOVERNING THE RECEIPT OF PENSION BENEFITS
BY SURVIVING SPOUSES OF DECEASED RETIREES**

Adopted December 16, 1999.

Amended July 8, 2015, March 19, 2015, and March 21, 2024

In order to be eligible for “surviving spouse death benefits” pursuant to Sections 6, 9, or 22 of Article 22 of the Baltimore City Code, a widow/er, whose deceased spouse was a member of the Employees’ Retirement System of the City of Baltimore or the Elected Officials’ Retirement System of the City of Baltimore (“Retirement Systems”), must meet the following criteria:

1. A widow/er, until reaching age 70, must return a completed Widowhood Certification form annually to the Retirement Systems, verifying that s/he has not remarried in the previous year. Such form will be mailed to the widow/er by or before January 30 of each year. If the widow/er does not receive his/her form by January 30, s/he should contact the Retirement Systems immediately. When a widow/er reaches age 70, s/he may remarry and continue to receive the surviving spouse death benefits.
2. The Widowhood Certification form may be submitted by a widow/er’s legal representative or guardian, if applicable. In the event a legal representative or guardian does complete such form, s/he also **must** have on file with the Retirement Systems a current copy of her/his power of attorney or guardianship papers.
3. All Widowhood Certification forms **must** be notarized.
4. The Widowhood Certification form must be received by the Retirement Systems by April 1 of every year. If a form has not been received by March 15, the widow/er will be mailed a reminder. Should the Retirement Systems not be in receipt of a signed and notarized Widowhood Certification form by April 1, in the discretion of the Executive Director the widow/er’s benefits may be suspended until such form has been received. If, by June 1, the Retirement Systems still have not received this form, notice may be sent to the widow/er scheduling a date at which time the Board of Trustees will determine whether the widow/er’s benefits should be terminated permanently.
5. Upon receipt of a Widowhood Certification form which states that a widow/er has remarried, the Retirement Systems shall cease all benefit payments to the widow/er.

6. If a widow/er submits false documentation as to her/his marital status , s/he shall be responsible to repay the Retirement Systems any monies received as a result of the false documentation. The Retirement Systems may use any legal method to recoup these monies.

7. The Board confers upon the Executive Director the discretion to waive timely receipt of a properly executed and notarized Widowhood Certification Form in cases of incapacity or infirmity of a widow/er, or as appropriate.