

To: **Pension Plan Recipients**
From: Bill Stefka, Administrator
Date: April 28, 2016
Re: **Provisional Beneficiary Designations**

Dear Plan Participants:

Attached is information regarding the opportunity for our membership to make provisional beneficiary designations regarding survivor benefits under Section 7.09 of our pension plan provisions. This information will describe to whom it applies as well as when and how such designations can be filed with your pension office.

After input from our membership, the pension board has set a time period of May 1, 2016 through June 1, 2016 to make provisional beneficiary designations for those members it applies to. As the information describes, this will only apply to our single firefighters who have no spouse or unmarried children under age 22.

The beneficiary designation will be good until the earlier of September 1, 2016 (A motion was made at the August 18, 2016 Board meeting to extend the beneficiary designation until October 31, 2016) or when the pension board ratifies or modifies the current rule in place (IRS dependency requirement). The fillable Provisional Beneficiary Form with instructions on completing and submitting [can be found here](#).

Please remember this window to make such changes is available to both our active and retired membership. Please contact our pension office with any questions.

Sincerely, William E. Stefka
Administrator

PROVISIONAL DESIGNATION OF BENEFICIARY UNDER SECTION 7.09 AUSTIN FIRE FIGHTERS RELIEF AND RETIREMENT FUND

During the period beginning May 1, 2016 through June 1, 2016 (the "Provisional Designation Period"), the Fund is providing members the opportunity to make a provisional beneficiary designation through this form (the "Provisional Designation"). The Fund is providing this opportunity while the Board of Trustees is reviewing Section VI of the Fund's Rules relating to beneficiary designations under Section 7.09 of the Fund's governing statute, Vernon's Texas Civil Statutes Art. 6243e.1 (the "Act").

A Provisional Designation will only be accepted by the Fund during the Provisional Designation Period and is a temporary beneficiary designation. While in effect, this Provisional Designation will temporarily replace any existing beneficiary designation that has been made for purposes of Section 7.09. However, this provisional designation will expire and be of no effect on the first to occur of (A) the effective date of the ratification or modification of the current beneficiary designation rule by the Board or (B) 12:00 am on September 1, 2016 (unless extended by Board action). Note that such Provisional Designation will not impact any beneficiary designation made for purposes other than for Section 7.09 of the Act, such as a beneficiary designation for an account under the Fund's Deferred Retirement Option Program (DROP).

Notably, this Provisional Designation does not have to satisfy the requirements of Section VI that relate to the designated beneficiary having to be a "dependent" of the member as claimed on the member's tax return. However, all other requirements in Section VI of the Fund's Rules will apply to the Provisional Designation. Specifically, if you are currently married or have a "dependent child," you are not eligible to make this Provisional Designation or any other beneficiary designation under the Fund for purposes of Section 7.09. (A dependent child is generally an unmarried child under the age of 22.)

In the event that you die while this Provisional Designation is in place, the Provisional Designation will serve as the designated beneficiary for purposes of Section 7.09 of the Act, and any and all other beneficiary designations that you have or have on file with the Fund will have no effect. However, once the Provisional Designation has expired as set forth above, any beneficiary designation on file with the Fund prior to any Provisional Designation will remain

in place and serve as the designation under Section 7.09 moving forward, assuming it otherwise satisfies the requirements of the Act and the Fund's beneficiary designation rules.

If you have any questions regarding this Provisional Designation, please contact the Fund's administrative offices at (512) 454-9567.

AUSTIN FIREFIGHTERS RELIEF AND RETIREMENT FUND CHECKLIST FOR PROVISIONAL DESIGNATION OF BENEFICIARY

Please review and answer the following checklist before completing a Provisional Designation. If you answer "Yes" to any question below, DO NOT complete a Provisional Designation form. If you answer "Yes," a Provisional Designation is either not available, not necessary, or not the proper method to designate a beneficiary.

Yes No

- 1. Are you currently married?
- 2. DO you currently have a dependent child (an unmarried child under the age of 22)?
- 3. Do you have an existing beneficiary designation on file for purposes of section 7.09 that you are satisfied with and do not want to change?

If you answered "Yes" to either question #1, #2 or #3 above, you do not need to take any action at this time. If you are currently married or have a dependent child, you are not eligible to make a beneficiary designation for purposes of Section 7.09. If you do not want to change and are satisfied with an existing designation, there is no need to complete a Provisional Designation.

If your beneficiary otherwise satisfies the existing requirements of the Fund's beneficiary designation rule (i.e., you claim your beneficiary as a dependent on your tax return), it is not necessary to use the Provisional Designation form. A standard beneficiary designation under Section 7.09 is available to you, and such designation will not expire after the Board completes its review of the beneficiary designation rule.

Please contact the Fund if you have any questions.

May 2016 Beneficiary PDF

Click the link below to download and fill out the pdf form.

Once you have completed the form, you can save it and email it to afdpendension@austin.rr.com or fax it to 512.453.7197 or send via regular USPS mail to the pension office.

[Provisional Designation of Beneficiary](#)