

SERFF Tracking Number: SALA-126477589 State: Arkansas  
 Filing Company: SunAmerica Annuity and Life Assurance State Tracking Number: 44797  
 Company  
 Company Tracking Number: ASE-6236 (11/09)  
 TOI: A02.1G Group Annuities - Deferred Non- Sub-TOI: A02.1G.002 Flexible Premium  
 Variable and Variable  
 Product Name: Death Benefit Endorsement  
 Project Name/Number: /ASE-6236 (11/09)

## Filing at a Glance

Company: SunAmerica Annuity and Life Assurance Company

Product Name: Death Benefit Endorsement SERFF Tr Num: SALA-126477589 State: Arkansas  
 TOI: A02.1G Group Annuities - Deferred Non- SERFF Status: Closed-Approved- State Tr Num: 44797  
 Variable and Variable Closed  
 Sub-TOI: A02.1G.002 Flexible Premium Co Tr Num: ASE-6236 (11/09) State Status: Approved-Closed  
 Filing Type: Form Reviewer(s): Linda Bird  
 Authors: Tina Smith, Aly Lopez Disposition Date: 02/16/2010  
 Date Submitted: 02/05/2010 Disposition Status: Approved-Closed  
 Implementation Date Requested: Implementation Date:  
 State Filing Description:

## General Information

Project Name: Status of Filing in Domicile: Authorized  
 Project Number: ASE-6236 (11/09) Date Approved in Domicile:  
 Requested Filing Mode: Review & Approval Domicile Status Comments: Domiciliary state, Arizona, exempts this filing per ARS 20-1110.F and R20-6-218.  
 Explanation for Combination/Other: Market Type: Group  
 Submission Type: New Submission Group Market Size: Small and Large  
 Overall Rate Impact: Group Market Type: Discretionary  
 Filing Status Changed: 02/16/2010 Explanation for Other Group Market Type:  
 Deemer Date: State Status Changed: 02/16/2010  
 Submitted By: Tina Smith Created By: Aly Lopez  
 Corresponding Filing Tracking Number: ASE-6236 (11/09)

### Filing Description:

The submitted endorsement is a new form and will not replace any form previously approved by your Department.

The Endorsement form ASE-6236 (11/09) is a standard annuity death benefit endorsement that provides for the greater of purchase payments or the contract value. This death benefit also provides for spousal beneficiary continuation upon

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the death of the covered person. There is no charge for this death benefit.

The Endorsement contains certain bracketed information consistent to the way the benefit will be offered, however, such bracketed information may vary in the future for new issues only.

This endorsement when approved will be used with approved annuity contracts or certificates when appropriate.

## Company and Contact

### Filing Contact Information

Tina Smith, Contract Analyst III tsmith@sunamerica.com  
 1999 Ave of the Stars 800-871-2000 [Phone] 6209 [Ext]  
 37th Floor 310-772-6569 [FAX]  
 Los Angeles, CA 90067

### Filing Company Information

SunAmerica Annuity and Life Assurance CoCode: 60941 State of Domicile: Arizona  
 Company  
 1999 Ave of the Stars Group Code: Company Type: Annuity  
 37th Floor Group Name: AIG State ID Number:  
 Los Angeles, CA 90067 FEIN Number: 86-0198983  
 (800) 871-2000 ext. [Phone]  
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## Filing Fees

Fee Required? Yes  
 Fee Amount: \$20.00  
 Retaliatory? No  
 Fee Explanation: \$20/rider  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
SunAmerica Annuity and Life Assurance Company	\$20.00	02/05/2010	34018383

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved- Closed	Linda Bird	02/16/2010	02/16/2010

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## **Disposition**

Disposition Date: 02/16/2010

Implementation Date:

Status: Approved-Closed

Comment:

Rate data does NOT apply to filing.

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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		Yes
Supporting Document	Application		No
Supporting Document	Life & Annuity - Acturial Memo		No
Form	Death Benefit Endorsement		Yes

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## Form Schedule

### Lead Form Number: ASE-6236 (11/09)

Schedule Item Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	ASE-6236 (11/09)	Certificate Amendmen	Death Benefit Endorsement t, Insert Page, Endorseme nt or Rider	Initial		53.100	ASE-6236(11-09) .pdf

**SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY**

**RETURN OF PURCHASE PAYMENT DEATH BENEFIT ENDORSEMENT**

Notwithstanding any provision in the Contract or Certificate (“Contract”) to the contrary, this Endorsement becomes a part of the Contract to which it is attached. Should any provision in this Endorsement conflict with the Contract, the provisions of this Endorsement will prevail.

This Endorsement modifies the **“DEATH PROVISIONS”** section in the Contract, as set forth below.

The following terms are added to the **“DEFINITIONS”** section of the Contract:

**“CONTINUATION DATE”** - The date on which We receive, at Our Annuity Service Center: (a) the Spousal Beneficiary’s written request to continue the Contract, and (b) Due Proof of Death of the Owner. If We receive (a) and (b) on different dates, the Continuation Date will be the later date.

**“REQUIRED DOCUMENTATION”** - (a) Due Proof of Death that the Owner or the Spousal Beneficiary died before the Annuity Date; and (b) an election form specifying the payment option(s); and, (c) any other documentation We may require.

**“SPOUSAL BENEFICIARY”** - The original deceased Owner’s surviving spouse who is designated as the primary Beneficiary at the time of the Owner’s death and may continue the Contract as the Owner on the Continuation Date.

**“WITHDRAWAL(S)”** - Amount(s) withdrawn from the Contract Value.

Item 3 under the section titled **“DEATH OF OWNER BEFORE THE ANNUITY DATE”** in the Contract is modified as follows:

3. If eligible, continue the Contract as a Spousal Beneficiary. On the Continuation Date, We will contribute to the Contract any amount by which the Death Benefit exceeds the Contract Value, calculated as of the Owner’s date of death. This amount is not considered a Purchase Payment except in the calculations of the certain Death Benefit components upon the death of the Spousal Beneficiary.

The **“AMOUNT OF DEATH BENEFIT”** provisions are modified as follows:

**Withdrawal Adjustments** - The amount of the Death Benefit will be adjusted for Withdrawals as follows:

- (1) The amount of adjustment will be the amount of each Withdrawal, including any charges and fees applicable to such Withdrawal, if the current Contract Year’s cumulative Withdrawals, including this Withdrawal, are taken prior to Your [81<sup>st</sup>] birthday and are less than or equal to the Maximum Annual Withdrawal Amount, if applicable, as defined in Your Contract; or

**For Inquiries Call [1-800-445-7862]**

- (2) The amount of adjustment will be a proportion of the Death Benefit equal to the proportion that each Withdrawal, including any charges and fees applicable to such Withdrawal, reduces the Contract Value, if the current Contract Year's cumulative Withdrawals, including this Withdrawal, are taken on and/or after Your [81<sup>st</sup>] birthday and/or are in excess of the Maximum Annual Withdrawal Amount as defined in Your Contract.

### **Amount of Death Benefit**

Upon Our receipt of all Required Documentation at Our Annuity Service Center, We will calculate the Death Benefit and it will be the greater of:

1. The Contract Value for the NYSE business day during which We receive all Required Documentation at Our Annuity Service Center; or
2. Purchase Payment(s) received prior to the Owner's [86<sup>th</sup>] birthday reduced by any Withdrawal Adjustments.

### **Spousal Beneficiary Continuation**

If the Spousal Beneficiary continues the Contract on the Continuation Date, the Death Benefit payable upon the death of the Spousal Beneficiary will be as follows:

If the Spousal Beneficiary was age [85 or younger] on the Continuation Date, upon Our receipt of all Required Documentation at Our Annuity Service Center, We will calculate the Death Benefit and it will be the greater of:

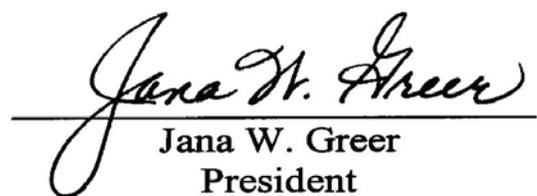
1. The Contract Value for the NYSE business day during which We receive all Required Documentation at Our Annuity Service Center; or
2. The Contract Value on the Continuation Date, plus Purchase Payment(s) received prior to the Spousal Beneficiary's [86<sup>th</sup>] birthday, and reduced by any Withdrawal Adjustments after the Continuation Date.

If the Spousal Beneficiary was age [86 or older] on the Continuation Date, the Death Benefit will be the Contract Value for the NYSE business day during which We receive all Required Documentation at Our Annuity Service Center.

Signed for the Company to be effective on the Contract Date.

### **SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY**

  
\_\_\_\_\_  
**Mallery L. Reznik**  
**Senior Vice President**

  
\_\_\_\_\_  
**Jana W. Greer**  
**President**

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## Supporting Document Schedules

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Satisfied - Item:</b> Flesch Certification <b>Comments:</b> <b>Attachments:</b> AR Cert of Compl 1.pdf AR Cert of Compl Reg 6.pdf CofR.pdf		

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Bypassed - Item:</b> Application <b>Bypass Reason:</b> This is an endorsement filing. <b>Comments:</b>		

**SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY  
1 SUNAMERICA CENTER  
LOS ANGELES, CALIFORNIA 90067-6022**

**Certification of Compliance**

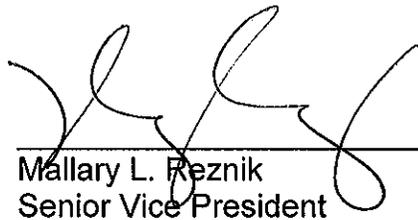
SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY does hereby certify that the following listed form(s):

**ASE-6236 (1109)**

Do comply with all Sections of the **Arkansas** Insurance Code and regulations applicable to such insurance policies and related forms, and will be so construed. We also certify that we are in compliance with Rule and Regulation 19 (2nd Revision) regarding Unfair Sex Discrimination in the Sale of Insurance.

2/4/10

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mallary L. Reznik  
Senior Vice President

**SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY  
1 SUNAMERICA CENTER  
LOS ANGELES, CALIFORNIA 90067-6022**

**Certification of Compliance**

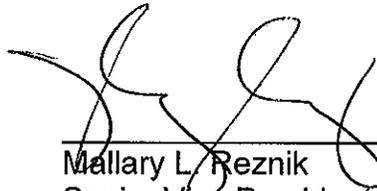
SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY does hereby certify that the following listed form(s):

ASE-6236 (11/09) Endorsement;

Do comply with all Sections of the **Arkansas** Insurance Code and regulations applicable to such insurance policies and related forms, and will be so construed. We also certify that we are in compliance with Rule and Regulation 6 regarding Variable Annuity Contracts.

2/4/10

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mallary L. Reznik  
Senior Vice President

**SUNAMERICA ANNUITY AND LIFE ASSURANCE COMPANY**  
**1 SunAmerica Center**  
**Los Angeles, CA 90067-6022**

**CERTIFICATION OF READABILITY**

This is to certify that the form(s) listed below is/are in compliance with the Flesch Readability Score

**A. Option Selected**

- 1. Policy and its related forms are scored for the Flesch reading ease test as one unit and the combined score is \_\_\_\_\_.
- 2. Policy and its related forms are scored separately for the Flesch reading ease test. Scores for the Policy are indicated below.

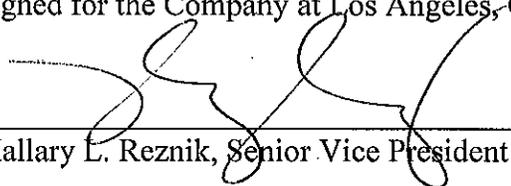
Forms and Form Numbers to which Certificate is applicable:

<u>Form</u>	<u>Form Number</u>	<u>Flesch Score</u>
Endorsement	ASE-6236 (11/09)	53.1

**B. Test Option Selected**

- 1. Test was applied to entire policy form(s).
- 2. Test was applied on sample basis. Form(s) contain(s) more than 10,000 words. Copy of form(s) enclosed indicating word samples tested.

Signed for the Company at Los Angeles, California on 2/4/10.

  
\_\_\_\_\_  
Mallary L. Reznik, Senior Vice President