

WHEN THE BOARD OF TRUSTEES RECEIVES PROOF OF DEATH OF A MEMBER AND FINDS THAT THE DEATH HAS OCCURRED IN THE MANNER DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE BOARD OF TRUSTEES SHALL PAY:

(1) IF THE MEMBER IS SURVIVED BY A SPOUSE OR CHILD UNDER THE AGE OF 18 YEARS, AN ALLOWANCE OF 50% OF THE ORDINARY DISABILITY RETIREMENT ALLOWANCE PROVIDED FOR IN § 29-108 OF THIS SUBTITLE:

(I) TO THE SURVIVING SPOUSE; OR

(II) IF THERE IS NO SURVIVING SPOUSE OR IF THE SURVIVING SPOUSE DIES BEFORE THE YOUNGEST CHILD OF THE MEMBER IS 18 YEARS OLD, TO ANY CHILDREN OF THE DECEASED MEMBER WHO ARE UNDER THE AGE OF 18 YEARS; OR

(2) IF THE MEMBER IS NOT SURVIVED BY A SPOUSE OR CHILD UNDER THE AGE OF 18 YEARS, THE DEATH BENEFIT UNDER § 29-202 OF THIS SUBTITLE.

(C) DIVISION OF ALLOWANCE.

IF THE BOARD OF TRUSTEES PAYS AN ALLOWANCE UNDER THIS SECTION TO MORE THAN ONE CHILD, THE BOARD OF TRUSTEES SHALL DIVIDE THE ALLOWANCE AMONG THE CHILDREN UNDER THE AGE OF 18 YEARS IN A MANNER THAT PROVIDES FOR PAYMENTS TO CONTINUE UNTIL EACH CHILD DIES OR BECOMES 18 YEARS OLD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 8-408(b).

In subsection (a) of this section, the reference to an individual who dies "while employed as a member of the Natural Resources Pension System" is substituted for the former reference to "member in service" to reflect that "service" is no longer a defined term.

In the introductory language of subsection (b) of this section, the former references to the "proper" proof and the "certification" of death are deleted as implied in the reference to the finding of a death by the Board of Trustees.

In subsection (b)(1)(ii) of this section, the reference to the condition that "the surviving spouse dies before the youngest child of the member is 18 years old" is added to conform this provision with the similar provision in § 29-204(b)(1)(ii)2 that applies to the State Police Retirement System.

Subsection (c) of this section is substituted for the former reference to a division of the allowance "in a manner as the Board of Trustees determines" for clarity and to conform this provision with other similar provisions in this Division II that apply to the Natural Resources Pension System and the State Police Retirement System.