

- Defined terms: "Allowance" § 20-101
 "Board of Trustees" § 20-101
 "Eligibility service" § 20-101
 "Member" § 20-101
 "Natural Resources Pension System" § 20-101
 "Retirement allowance" § 20-101

29-204. SAME — STATE POLICE RETIREMENT SYSTEM.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO DIES WHILE EMPLOYED AS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM:

- (1) WITHOUT WILLFUL NEGLIGENCE BY THE MEMBER; AND
- (2) (I) WITH MORE THAN 2 YEARS OF ELIGIBILITY SERVICE; OR
 (II) WITH DEATH ARISING OUT OF OR IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY.

(B) IN GENERAL.

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, A CHILD UNDER THE AGE OF 18 YEARS, OR A DEPENDENT PARENT:

(I) THE MEMBER'S ACCUMULATED CONTRIBUTIONS TO THE DESIGNATED BENEFICIARY, OR OTHERWISE TO THE MEMBER'S ESTATE; AND

(II) AN ALLOWANCE OF 50% OF THE MEMBER'S AVERAGE FINAL COMPENSATION:

1. TO THE SURVIVING SPOUSE;
2. IF THERE IS NO SURVIVING SPOUSE OR IF THE SURVIVING SPOUSE DIES BEFORE THE YOUNGEST CHILD OF THE MEMBER IS 18 YEARS OLD, TO ALL CHILDREN UNDER THE AGE OF 18 YEARS; OR
3. IF THERE IS NO SURVIVING SPOUSE OR CHILDREN YOUNGER THAN 18 YEARS OF AGE, TO THE MEMBER'S DEPENDENT PARENT TO CONTINUE, AS THE BOARD OF TRUSTEES MAY DIRECT FOR THE REST OF THE PARENT'S LIFE; OR

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

(C) DIVISION OF ALLOWANCE.