

(d) (1) On notification by the head of the unit that employed the decedent, the Secretary shall determine whether a death benefit will be paid under this section.

(2) If the Secretary determines that a death benefit is payable, payment shall be made:

(i) to the surviving spouse;

(ii) if there is no surviving spouse, to the surviving children, in equal shares; or

(iii) if there is no surviving spouse or children, to the surviving parent or parents, if the parent was a dependent as defined in § 152 of the Internal Revenue Code.

(e) A death benefit under this section shall be paid out of funds which the Governor may appropriate for that purpose in the State budget.

(f) A decision of the Secretary under this section:

(1) is the final administrative decision; and

(2) is not subject to appeal under Title 10, Subtitle 2 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That, for the purpose of the Sick Leave Incentive Program, ~~administrative tracking of participating units shall track sick leave usage shall begin on as of~~ January 1, 2000 and eligible employees shall not receive payment for unused sick leave until calendar year 2001.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Budget and Management shall submit a report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly by October 15, 2003, that describes the effects of the Sick Leave Incentive Program on employee use of sick leave, including the number of employees who participated in the Program, the number of unused sick leave hours exchanged for payment, the total sick leave hours used during the calendar year, the total payment received by employees, any estimated overtime savings as a result of the Program, and any estimated reduction in use of sick leave as a result of the Program.

SECTION 4. AND BE IT FURTHER ENACTED, ~~That the provisions of this Act shall take effect July 1, 2000.~~

Approved April 25, 2000.