

(2) WHEN THE BOARD OF TRUSTEES RECEIVES PROOF OF DEATH OF A MEMBER AND FINDS THAT THE DEATH HAS OCCURRED IN THE MANNER DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF TRUSTEES SHALL PAY:

(I) IF THE MEMBER IS SURVIVED BY A SPOUSE OR CHILD UNDER THE AGE OF 18 YEARS, AN ALLOWANCE OF TWO-THIRDS OF THE MEMBER'S AVERAGE FINAL COMPENSATION:

1. TO THE SURVIVING SPOUSE; OR

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 ANY CHILDREN OF THE DECEASED MEMBER WHO ARE UNDER THE AGE OF 18 YEARS; OR

(II) 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) 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.

29-204.

(a) ~~(1)~~ This ~~section~~ SUBSECTION applies only to an individual who dies while employed as a member of the State Police Retirement System:

~~(1)~~ (i) without willful negligence by the member; and

~~(2)~~ (i) (II) 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)~~ (2) 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)~~ PARAGRAPH (1) of this ~~section~~ SUBSECTION, the Board of Trustees shall pay:

~~(1)~~ (I) if the member is survived by a spouse, a child under the age of 18 years, or a dependent parent:

~~(i)~~ 1. the member's accumulated contributions to the designated beneficiary, or otherwise to the member's estate; and

~~(ii)~~ 2. an allowance of ~~two-thirds~~ 50% of the member's average final compensation:

~~1.~~ A. to the surviving spouse;

~~2.~~ B. 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