In subsection (a) of this section, the word "individuals" is substituted for the former word "persons", since only a human being may be a dependent under this title.

In subsections (a), (c), (d)(1), and (e) of this section, the reference to "the employer or its insurer" is added to clarify that the employer or its insurer is responsible for the payment of compensation under this title and to conform to other provisions of this subtitle.

In subsection (b)(1) of this section, the words "a maximum of", which formerly modified "sixty–six and two–thirds per centum of the average weekly wage of the State", are deleted as surplusage.

Also in subsection (b)(1) of this section, the phrases "as determined by the Department of Employment Security, as provided in § 36(2) of this article", which formerly modified "average weekly wage of the State of Maryland", are deleted as unnecessary in light of § 9–603 of this subtitle.

In subsection (d)(1) of this section, the term "surviving spouse" is substituted for the former terms "widow" and "widower", to conform to terminology used throughout this subtitle.

In subsection (e) of this section, the former word "children" is deleted in light of the word "child" and Art. 1, § 8 of the Code, which provides that the singular includes the plural.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that it is unclear how the death benefit would be computed for a partly dependent individual who does not have any weekly earnings. Subsection (b) of this section uses the weekly earnings of the partly dependent individual to compute the death benefit payable. If the partly dependent individual does not have any weekly earnings, that computation cannot be performed. The General Assembly may wish to clarify the amount of death benefits payable to a partly dependent individual who does not have any weekly earnings.

The Committee also notes, for consideration by the General Assembly, that the relationship between subsection (c) and subsection (d) of this section is unclear. Subsection (c) imposes a $17,500 limitation on payment of death benefits. Subsection (d) provides that a surviving spouse who is partly dependent and remarries and does not have dependent children at the time of remarriage is entitled to receive death benefits for 2 years after the date of the remarriage. It could be argued that payments under subsection (d) are not subject to the $17,500 limitation under subsection (c) and continue for 2 years even if $17,500 is paid. The General Assembly may wish to clarify whether the payment of death benefits for 2 years after remarriage under subsection (d) of this section is subject to the $17,500 limitation under subsection (c) of this section.

Defined term: "Covered employee" § 9–101