

In subsection (a) of this section, the definition of "Selection C (Combination formula)" is added to identify more clearly the selection described in this section.

In subsection (c)(3)(i) and (ii) of this section, the phrase "the allowance calculated" is substituted in both instances for "If the member was in service before July 1, 1984," and "If the member was in service from July 1, 1984," to reflect the original intent of the provisions.

In subsection (h) of this section, the term "credit for unused sick leave" is substituted for "membership service for unused sick leave" to reflect the use of that term in § 3-302 of this title.

In subsection (i) of this section, the term "Creditable service" is substituted for "Service credit" to reflect the use of that term in Subtitle 3 of this title.

The only other changes are stylistic or technical.

3-414. DEATH BENEFIT FOR MEMBERS IN SERVICE.

(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, UPON THE RECEIPT OF PROPER PROOF OF DEATH OF A MEMBER IN SERVICE, THE BOARD OF TRUSTEES SHALL PAY TO THE PERSON THE MEMBER HAS NOMINATED BY WRITTEN DESIGNATION DULY EXECUTED AND FILED WITH THE BOARD OF TRUSTEES OR, IN THE ABSENCE OF A WRITTEN DESIGNATION, TO THE MEMBER'S ESTATE:

(1) THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(2) IF THE MEMBER HAS ONE OR MORE YEARS OF CREDITABLE SERVICE, OR DIES IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY, AN AMOUNT EQUAL TO THE MEMBER'S EARNABLE COMPENSATION AT THE TIME OF DEATH.

(B) THE BOARD OF TRUSTEES IS AUTHORIZED TO TAKE SUCH STEPS AS ARE NECESSARY TO PROVIDE THE DEATH BENEFIT UNDER THIS SUBSECTION IN THE FORM OF GROUP LIFE INSURANCE, IF IN THE OPINION OF THE BOARD OF TRUSTEES, SUCH PROVISION WOULD ALLOW A MORE FAVORABLE TAX TREATMENT OF THE BENEFIT TO THE BENEFICIARIES THERE.

(C) THE SURVIVING SPOUSE OF A MEMBER WHO DIES IN SERVICE MAY ELECT TO RECEIVE, IN LIEU OF THE LUMP SUM BENEFIT PAYABLE UNDER SUBSECTION (A) OF THIS SECTION, A MONTHLY ALLOWANCE FOR LIFE EQUAL TO THE AMOUNT PAYABLE UNDER OPTION 2, IF:

(1) THE SPOUSE IS NAMED AS THE SOLE PRIMARY BENEFICIARY; AND

(2) THE MEMBER:

(I) WAS ELIGIBLE TO RETIRE; OR