

(I) TO THE PERSON HAVING AN INSURABLE INTEREST IN THE LIFE OF THE DECEASED, AS NOMINATED BY THE DECEASED'S WRITTEN DESIGNATION DULY EXECUTED AND FILED WITH THE BOARD OF TRUSTEES, OTHERWISE TO THE DECEASED'S ESTATE, THE DECEASED'S ACCUMULATED CONTRIBUTIONS; AND

(II) TO THE SURVIVING SPOUSE, OR IF THERE IS NO SURVIVING SPOUSE, OR IF THE SURVIVING SPOUSE DIES BEFORE THE YOUNGEST CHILD OF THE DECEASED MEMBER HAS ATTAINED THE AGE OF 18, THEN TO THE CHILD OR CHILDREN UNDER EIGHTEEN DIVIDED IN A MANNER AS THE BOARD IN ITS DISCRETION DETERMINES TO CONTINUE AS A JOINT AND SURVIVORSHIP PENSION FOR THE BENEFIT OF THE CHILD OR CHILDREN UNDER 18 UNTIL EVERY CHILD DIES OR ATTAINS 18; OR IF THERE IS NO SPOUSE OR CHILDREN UNDER THE AGE OF 18 YEARS SURVIVING THE MEMBER, THEN TO THE MEMBER'S DEPENDENT FATHER OR DEPENDENT MOTHER AS THE BOARD IN ITS DISCRETION DIRECTS TO CONTINUE FOR LIFE, A PENSION OF 50 PERCENT OF THE MEMBER'S AVERAGE FINAL COMPENSATION. IF THE MEMBER AT THE TIME OF DEATH DOES NOT LEAVE A SPOUSE, CHILD OR CHILDREN UNDER THE AGE OF 18 YEARS, OR DEPENDENT PARENT OR PARENTS, THE ORDINARY DEATH BENEFIT SHALL BE THE ONLY DEATH BENEFIT PAYABLE.

(2) THE COST OF SPECIAL DEATH BENEFITS PROVIDED UNDER THIS SUBSECTION, EXCLUSIVE OF BENEFITS FOR MEMBERS WHOSE DEATH ARISES OUT OF OR IN THE COURSE OF ACTUAL PERFORMANCE OF DUTY, SHALL BE PAID AS FOLLOWS:

(I) THE STATE OF MARYLAND SHALL PAY THE COSTS OF THE SPECIAL DEATH BENEFITS, INCLUDING NORMAL CONTRIBUTION RATE AND ACCRUED LIABILITY RATE, IF THE COST IS NOT IN EXCESS OF THE CURRENT EMPLOYER'S CONTRIBUTION RATE FOR FEDERAL OLD AGE AND SURVIVORS' INSURANCE;

(II) ANY EXCESS IN COST OF THE SPECIAL DEATH BENEFITS OVER THE CURRENT RATE FOR OLD AGE AND SURVIVORS' INSURANCE SHALL BE PAID BY THE MEMBERS; AND

(III) THE STATE OF MARYLAND SHALL PAY THE FULL COST OF SPECIAL DEATH BENEFITS APPLICABLE TO MEMBERS WHOSE DEATH ARISES OUT OF OR IN THE COURSE OF ACTUAL PERFORMANCE OF DUTY.

COMMITTEE NOTE: This section is derived without substantive change from former Art. 88B, § 53 (j) and (k).

Former Art. 88B, § 53(j)(3) is deleted as misplaced in current law. An identical provision appears in § 6-406(c)(4) of this title.

The only other changes are stylistic.