

GENERAL ASSEMBLY COMPENSATION COMMISSION

(ii) Is deemed to die contemporaneously with the member's spouse or as a result of the same occurrence.

(3) (i) Instead of the lump-sum death benefit payable under paragraph (2) of this subsection, the member's children who have not attained age 18 may elect to receive the survivor allowance that would have been paid to the surviving spouse under subsection (c)(1) of this section had the member's spouse survived the member. The survivor allowance is payable to the member's children as of the date of the member's death.

(ii) If the Board of Trustees pays the survivor allowance to more than one child, the Board of Trustees shall divide the allowance equally among the children who are under the age of 18 years.

(iii) The survivor allowance shall be payable until each child attains age 18.

17. Benefit - Death of member with less than 8 years of service.

(a) Application of section. This section applies only on the death of a member who:

(1) Is currently serving in the General Assembly; and

(2) Has less than 8 years of creditable service.

(b) Lump-sum death benefit. On the death of a member, the Board of Trustees shall pay a lump-sum death benefit consisting of the sum of the member's accumulated contributions and an amount equal to the member's annual salary at the time of death:

(1) To the member's surviving spouse, unless the member has a child under the age of 18 years and the member is deemed to die contemporaneously with the member's spouse or as a result of the same occurrence, in which case, in equal shares, to each child who has not attained the age of 18; or

(2) If there is no surviving spouse, to the member's designated beneficiary.

18. Death of member - No beneficiary.

On the death of a member who is not survived by a spouse, a designated beneficiary, or a child who is eligible to receive a benefit under § 16, 17, or § 18 of this Item 3A, the Board of Trustees shall pay the member's accumulated contributions to the estate of the member.

19. Termination of rights in Plan.

At any time after termination of service as a legislator but prior to receiving a retirement allowance, a member may elect to withdraw the member's accumulated contributions by completing an application for refund of contributions and submitting the application to the Board of Trustees.