

9-640. SURVIVAL OF COMPENSATION.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO COMPENSATION PAID UNDER TITLE 10, SUBTITLE 3 OF THIS ARTICLE.

(B) IN GENERAL.

IF A COVERED EMPLOYEE DIES FROM A CAUSE THAT IS NOT COMPENSABLE UNDER THIS TITLE, THE RIGHT TO COMPENSATION THAT IS PAYABLE UNDER THIS PART V OF THIS SUBTITLE AND UNPAID ON THE DATE OF DEATH SURVIVES IN ACCORDANCE WITH THIS SECTION TO THE EXTENT OF \$45,000, AS INCREASED BY THE COST OF LIVING ADJUSTMENTS UNDER § 9-638 OF THIS PART V OF THIS SUBTITLE.

(C) SURVIVING DEPENDENTS.

IF THERE ARE SURVIVING DEPENDENTS OF THE COVERED EMPLOYEE, THE RIGHT TO COMPENSATION SURVIVES TO THE SURVIVING DEPENDENTS AS THE COMMISSION MAY DETERMINE.

(D) NO SURVIVING DEPENDENTS; OBLIGATION TO SUPPORT SURVIVING SPOUSE.

IF THERE ARE NO SURVIVING DEPENDENTS OF THE COVERED EMPLOYEE AND, ON THE DATE OF DEATH, THE COVERED EMPLOYEE HAD A LEGAL OBLIGATION TO SUPPORT A SURVIVING SPOUSE, THE RIGHT OF COMPENSATION SHALL SURVIVE TO:

(1) THE SURVIVING SPOUSE OF THE COVERED EMPLOYEE; OR

(2) THE SURVIVING SPOUSE AND THE SURVIVING MINOR CHILDREN OF THE COVERED EMPLOYEE.

(E) NO SURVIVING DEPENDENTS OR OBLIGATION TO SUPPORT SURVIVING SPOUSE.

IF THERE ARE NO SURVIVING DEPENDENTS AND, ON THE DATE OF DEATH, THE COVERED EMPLOYEE DID NOT HAVE A LEGAL OBLIGATION TO SUPPORT A SURVIVING SPOUSE, THE RIGHT TO COMPENSATION SURVIVES ONLY TO THE SURVIVING MINOR CHILDREN OF THE COVERED EMPLOYEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 36(1)(e).

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