

48-269. Same; death benefits; computation; beneficiaries. Whenever a member is entitled to death benefits under this act: (a) The member's estate shall be paid an amount equal to (1) any reimbursement due the deceased under this act, (2) the accrued pay and allowances of the deceased and (3) the amount of actual funeral expenses of the deceased not to exceed five hundred dollars (\$500).

(b) The member's surviving spouse shall be paid a monthly compensation equal to one hundred twenty dollars (\$120) plus twelve and one-half percent (12 1/2%) of the monthly basic pay of the grade or rank held by the member at the time entitlement under this act accrued, until the surviving spouse dies or remarries.

(c) If a member's surviving spouse remarries, the surviving child or children under age eighteen, or under age twenty-one and unmarried and still in school, shall be entitled to compensation as follows:

One such child — \$77 per month.

Two such children — \$55 per month to each child.

Three such children — \$48 per month to each child.

More than three such children — to each child per month an amount determined by dividing the sum of \$144, plus the product of \$28 times the number of such children in excess of three, by the total number of children entitled to compensation.

(d) If a member is not married but is survived by a child or children, such children under age eighteen, or under age twenty-one and unmarried and still in school, shall be entitled to compensation as specified in subsection (c) of this section.

(e) The children to which subsection (c) and (d) of this section shall apply shall be the member's surviving children who meet the prescribed conditions on the first day of each calendar month. Compensation payable under subsection (c) or (d) of this section shall be paid to the children or guardian as determined by the military disability board.

(f) If a member is survived by a child or children, such child or children during the period he or she is under the age of twenty-two years and is unmarried shall be entitled to attend any college, university, junior college or vocational-technical school which is operated by the state or any county, city, school district or other political subdivision without being required to pay tuition or admission fees of any kind: *Provided*, Such child is otherwise eligible to enroll in such institution and during the period such child is in good standing.

History: L. 1972, ch. 206, § 9; L. 1973, ch. 215, § 1; July 1.