§ 227-a. Death benefits. 1. The following benefit shall be paid by the state on account of death of a member of the division of state police. To the widow, until she be married again, or the dependent children under the age of twenty-one years, or the dependent mother of every member of the division of state police whose death has been heretofore caused or shall hereafter be caused by injury or disease contracted in the performance of duty there shall be paid annually as long as such dependency continues upon certification of a board consisting of the superintendent of state police, the attorney general and the state comptroller, one-half the salary including maintenance allowance, received by such member at the time of death.

2. Notwithstanding any law, rule or regulation to the contrary, where an agreement between the state and an employee organization representing members of the collective negotiating unit consisting of investigators, senior investigators and investigative specialists of the division of state police, or the collective negotiating unit consisting of troopers in the division of state police or the collective negotiating unit consisting of commissioned and non-commissioned officers of the division of state police established pursuant to article fourteen of the civil service law so provides, a survivor's benefit for a member in such negotiating unit shall be paid in an amount as provided in such agreement in the event that such employee dies subsequent to April first, nineteen hundred eighty-five, as the result of an accidental on-the-job injury, provided that it is finally determined by the appropriate federal authorities that a public safety officer's death benefit is not payable pursuant to sections three thousand seven hundred ninety-six through three thousand seven hundred ninety-six-c of title forty-two of the United States code, and provided further that a death benefit is paid pursuant to the workers' compensation law. Such survivor's benefit shall be paid to the member's surviving spouse and dependent children in the same proportion as the death benefit provided by the workers' compensation law is paid. In the event that the member is not survived by a spouse or dependent children, the survivor's benefit shall be paid to the estate of the member. Such survivor's benefit shall be in addition to and not in place of any other survivor's or death benefit payable on behalf of such member, except that such

benefit shall not be payable if a public safety officer's death benefit is payable pursuant to sections three thousand seven hundred ninety-six through three thousand seven hundred ninety-six-c of the United States code.

3. Notwithstanding any law, rule or regulation to the contrary, where an agreement between the state and an employee organization representing members of the collective negotiating unit consisting of investigators, senior investigators and investigative specialists of the division of state police or the collective negotiating unit consisting of troopers in the division of state police or the collective negotiating unit consisting of commissioned and non-commissioned officers of the division of state police established pursuant to article fourteen of the civil service law so provides, the state shall provide the child or children of such members for whom a survivor's benefit is paid pursuant to subdivision two of this section, or for whom a federal public safety officer's benefit is payable as specified in subdivision two of this section, with full tuition up to the amount charged by the state university of New York to attend any college or university provided, however, such child or children meet the entrance requirements of such college or university. Such child or children are those who are designated by the workers' compensation board to receive a death benefit pursuant to the workers' compensation law.