

after Section 5 thereof, permitting an elected or appointed official who is a member of the State Employees' Retirement System to transfer to another system under certain conditions.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 5A be and it is hereby added to Article 73B of the Annotated Code of Maryland (1951 Edition), title "Pensions", to follow immediately after Section 5 thereof, and to read as follows:

*5A. Any elected or appointed official who has become a member of the Employees' Retirement System, in the discretion of the Board of Trustees, may elect at any time before the expiration of his term of office, to transfer to another system operated on an actuarial basis, either under the laws of this State, or under the laws of any political subdivision of this State, upon accepting office or employment which makes it possible or mandatory for him to participate in such other system.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1957.

Approved March 18, 1957.

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## CHAPTER 213

(Senate Bill 334)

AN ACT to repeal and re-enact, with amendments, Sections 5 (c), 5 (d), and 5B of Article 35 of the Annotated Code of Maryland (1956 Supplement), title "Evidence", sub-title "Competency of Witnesses", adding Kent County to the counties which except violations of the gambling, lottery and alcoholic beverages laws from the prohibition against use of evidence obtained by illegal search and seizure in the trial of misdemeanors.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 5 (c), 5(d) and 5B of Article 35 of the Annotated Code of Maryland (1956 Supplement), title "Evidence", sub-title "Competency of Witnesses", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

5.

(c) Exception in certain counties for prosecutions for violating gambling laws.—Nothing in sub-section (a) of this section shall prohibit the use of such evidence in Anne Arundel County, Howard County, Prince George's County, Cecil County, Wicomico County [and] , Worcester County *and Kent County* in the prosecution of any person for a violation of the gambling laws as contained in Sec-

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EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.