

CHAPTER 8

(Senate Bill 29)

AN ACT to repeal and re-enact, with amendments, Section 88 of Article 65 of the Annotated Code of Maryland (1962 Supplement), title "Militia", sub-title "Re-employment of Persons in Military Service", correcting an error in the law relating to the rights of certain servicemen in pensions and retirement funds.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 88 of Article 65 of the Annotated Code of Maryland (1962 Supplement), title "Militia", sub-title "Re-employment of Persons in Military Service", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

88.

The rights and status of any person inducted into the land or naval forces of the United States within the period beginning September 1, 1940, and ending December 31, 1945, or within the period beginning June 1, 1950, and ending June 1, 1963, for training and service pursuant to the act of Congress known as the Selective Training and Service Act of 1940, or any subsequent acts of a similar nature, and any member of any reserve component of the land or naval forces of the United States on active duty or service within said period or ordered or assigned to active duty or service within said period, as well as any person who, within said period, enlists in the armed forces of the United States, and who may be absent in such military service shall be as follows in any pension or retirement fund or system under the laws of the State of Maryland, or of the City of Baltimore or any other political subdivision of this State, including the Teachers' Retirement System of the State of Maryland. During the period of such absence, no such person or his estate shall have any right or be entitled to ordinary disability benefits, accidental disability benefits, death benefits, optional allowances or other disability or death benefits in any such fund or system. Any such person, during such absence except as herein otherwise specified, shall retain his status and rights as a member of any such pension or retirement fund or system (a) if he does not withdraw any part of his accumulated contributions, and (b) if within one year from the time he is relieved from active duty or service he shall be actively employed by the State of Maryland, or any agency thereof, or by the City of Baltimore or any other political subdivision of this State, and (c) if he shall not have previously taken any other employment except temporary employment after he has applied for re-employment in his former classification or position in the State service, and he has been refused immediate re-employment for causes beyond his control, and (d) if he shall make application for such credit with the retirement system of the State of Maryland or agency thereof or of the City of Baltimore or any other political subdivision of this State in which he held membership before the beginning of said military service; provided, however, that if such person has withdrawn any part of his accumulated contributions, he shall be entitled to repay the sum withdrawn into the pension or retirement fund or system, including the Teachers' Retirement System of the State of Maryland, with regular interest thereon to the