

in which formula "b" represents "benefits provided by Sec. 31" and "c.s." represents "years of creditable service", except that the ratio of "c.s. divided by 25" shall not be applied to any beneficiary who was, or member who may be retired for disability having less than 25 years of creditable service, and

(e) Provided that the retirement allowance used in calculating the supplementary payment shall be the total benefits provided in Sec. 31 of this article except that it shall not be based on any optional benefit chosen by the beneficiary or member, and

(f) Provided that such beneficiary or member, excepting any person who may retire for reasons of disability, is not eligible to receive benefits from the federal old age and survivors' insurance system; but this sub-section shall not be construed to affect or bar any person's right to receive supplementary payments under this article or any other laws of this State, if such person was receiving such payments prior to June 1, 1958.

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1963.

Approved March 14, 1963.

CHAPTER 57

(Senate Bill 24)

AN ACT to add a new Section 188A to Article 48A of the Annotated Code of Maryland (1957 Edition and 1962 Supplement), title "Insurance," subtitle "Life, Accident and Health Insurance," sub-heading "In General," providing that no life insurer shall issue in Maryland or issue for delivery in Maryland contracts on a variable basis, and defining for the purposes of this Act the term "contracts on a variable basis."

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new Section 188A be and it is hereby added to Article 48A of the Annotated Code of Maryland (1957 Edition), title "Insurance," subtitle "Life, Accident and Health Insurance," sub-heading "In General," to read as follows:

188A.

Notwithstanding any provision of this Article to the contrary, no life insurer shall issue in Maryland or issue for delivery in Maryland contracts on a variable basis. "Contracts on a variable basis" shall mean annuity contracts and contracts upon lives of beneficiaries under life insurance contracts providing for payments or values which vary directly according to investment experience as distinguished from fixed dollar annuity contracts and fixed dollar contracts upon the lives of beneficiaries under life insurance contracts.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1963. It shall remain effective for a period of one year and at the end of May 31, 1964, and, with no further action required by