

CHAPTER 171

(House Bill 25)

AN ACT to repeal and re-enact, with amendments, Section 113 (8) (b) of Article 77 of the Annotated Code of Maryland (1963 Supplement), title "Public Education", subtitle "Chapter 8. Teachers' Certificates, Salaries and Pensions", subheading "Teachers' Retirement System", amending the laws concerning optional allowances under the Teachers' Retirement System.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 113 (8) (b) of Article 77 of the Annotated Code of Maryland (1963 Supplement), title "Public Education", subtitle "Chapter 8. Teachers' Certificates, Salaries and Pensions", subheading "Teachers' Retirement System", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

113.

(8) (b)

Notwithstanding anything to the contrary in this subsection or elsewhere in this article, whenever any member who is eligible for service retirement under the provisions of S. 113(1) (a) of this article dies in service, without having nominated by written designation a beneficiary other than his spouse, leaving a surviving spouse [to whom he had been married for at least five years, and] with whom he was living as husband or wife on the date of his death, said spouse shall be entitled to a retirement allowance equal to that which would have been paid to the surviving spouse under Option 2 of this subsection, had the member elected Option 2 in favor of his spouse and retired thirty days before his death; provided, however, that if such spouse is the person nominated by the member to receive any benefit under Section 113(6) of this article, he may, by written notice filed with the Board of Trustees prior to the commencement of such retirement allowance but not more than 60 days after the death of such member, elect to receive a benefit under the provisions of Section 113(6) in lieu of such retirement allowance.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1964.

Approved April 7, 1964.

CHAPTER 172

(House Bill 26)

AN ACT to repeal and re-enact, with amendments, Section 9(2) of Article 73B of the Annotated Code of Maryland (1963 Supplement), title "Pensions", sub-title "In General", amending the laws concerning creditable service under the provisions of the Employees' Retirement System of the State of Maryland in order to conform to the provisions of the Teachers' Retirement System of the State of Maryland.