

## CHAPTER 333

(House Bill 941)

AN ACT to repeal and re-enact, with amendments, Section 108 (15) (b) of Article 52 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Justices of the Peace," subtitle "Trial Magistrates System," to lower the age from sixty-five to sixty-two at which judges of the People's Court of Montgomery County become eligible to receive pension benefits and to include in computing years of service for such pension service as a full-time trial magistrate in said County.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 108(15)(b) of Article 52 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Justices of the Peace," subtitle "Trial Magistrates System," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

108.

(15)(b) Every full-time judge of the People's Court for Montgomery County shall be paid, after the termination of active service, if he is then at least ~~[sixty-five]~~ *sixty-two* years of age, or when he becomes ~~[sixty-five]~~ *sixty-two* years of age, a pension or salary calculated at the rate of Five Hundred Dollars (\$500) per annum for each year, or any part thereof, of active service *as a full-time judge of the People's Court or Trial Magistrates Court for Montgomery County*, up to and including sixteen years of such active service, so that the maximum pension or salary for such service payable hereunder to any one person shall not exceed the sum of Eight Thousand Dollars (\$8,000) per annum, provided, however, that no person serving less than twelve months as a judge under this subsection shall receive a pension or salary unless such person involuntarily be caused to resign or to retire therefrom because of sickness or physical incapacity or disability before the termination of the prescribed minimum period of service. Provided further, however, that any such judge who has retired or who hereafter voluntarily retires from active service after reaching the age of ~~[sixty-five]~~ *sixty-two* years and resumes the practice of law, shall not be entitled to the pension or salary provided by this subsection, or any portion thereof. In the event that a retired judge engaged in the practice of law should thereafter relinquish such practice and notify the County Council and the director of finance of Montgomery County of such fact, then from and after the date of such notification the judge shall be entitled to all the benefits provided by this subsection. This subsection shall apply to all judges already retired from active service except as provided herein. Any former judge who accepts any salaried public office or position, municipal, county, State or federal, shall not be paid any pension or salary so long as he remains in such office or position. In the event that a retired judge serving in any salaried public office or position as above enumerated, should thereafter relinquish such office or position and notify the County Council and the director of finance of Montgomery County of such fact, then from and after the date of such notification the judge shall be entitled to all the benefits as provided by this subsection. The County Council