

CHAPTER 521

(Senate Bill 234)

AN ACT to repeal and re-enact, with amendments, Section 11 (3) (e) of Article 73B of the Annotated Code of Maryland (1967 Replacement Volume), title "Pensions," subtitle "In General," amending the laws concerning benefits payable under the State Employees' Retirement System with particular reference to the retirement allowance under certain conditions.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 11 (3) (e) of Article 73B of the Annotated Code of Maryland (1967 Replacement Volume), title "Pensions," subtitle "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

11.

(3)

(e) (1) Notwithstanding anything in this subtitle to the contrary, if at the time of retirement after June 30, 1962, the retirement allowance consisting of the annuity resulting from the member's contributions and the pension determined in accordance with paragraphs (b) and (c) above is less than one-seventieth of average final compensation for each year of creditable service, an additional pension equal to the difference between such allowance shall be payable; except that as to any such member ~~more than sixty-two years of age and having creditable service of more than thirty-nine years~~ who contributed on the basis of retirement at age 65 under the provisions of Section 14 (1) (b), and as to any elected or appointed official or employee who waived the payment of such contributions as provided in Section 3 (5) and 9 (7), and any member who elects to discontinue contributions in accordance with the provisions of Section 14 (1) (b), the additional pension so provided herein shall be reduced by the actuarial equivalent of those contributions which he had not paid, with interest to date of retirement; provided, that if the member who has not attained the age of sixty at the time of retirement has rendered less than thirty-five years of creditable service, the additional pension equal to the difference between such allowance shall be reduced on an actuarial equivalent basis. EXCEPT, THAT AS TO ANY SUCH MEMBER WHO CONTRIBUTED ON THE BASIS OF RETIREMENT AT AGE 65 UNDER THE PROVISIONS OF SECTION 14 (1), (B), AND WHO IS MORE THAN 63 YEARS OF AGE AND HAVING CREDITABLE SERVICE OF MORE THAN FORTY YEARS SHALL NOT BE REDUCED BY THE ACTUARIAL EQUIVALENT.

(2) The annuity provided as a result of voluntary contributions permitted under this subtitle and its amendments shall be payable and shall not be used in determining the additional pension, if any, payable under this subdivision, nor in determining the disability pension under Section 11, subsection (5).

(3) The payment of the additional pensions provided herein shall be provided for in the budget bill submitted to the General Assembly by the Governor and on receipt of the warrant of the Comptroller, annual payments shall be made by the Treasurer of the State of