

CHAPTER 459  
(Senate Bill 494)

AN ACT to repeal and re-enact, with amendments, ~~subsections (1) and (2)~~ SUBSECTION (1) of Section 195 of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Education," subtitle "Chapter 17. Teachers' Retirement System," AND TO REPEAL AND RE-ENACT, WITH AMENDMENTS, SUBSECTION (1) OF SECTION 11 OF ARTICLE 73B OF SAID CODE (1970 REPLACEMENT VOLUME), TITLE "PENSIONS," SUBTITLE "IN GENERAL," to change the number of years of service required of teachers AND EMPLOYEES in order to ~~receive certain retirement benefits.~~ QUALIFY FOR RETIREMENT UNDER THE TEACHERS' RETIREMENT SYSTEM, , AND THE EMPLOYEES' RETIREMENT SYSTEM.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That ~~subsections (1) and (2)~~ SUBSECTION (1) of Section 195 of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Education," subtitle "Chapter 17. Teachers' Retirement System," be and ~~the same are~~ IT IS hereby repealed and re-enacted, with amendments, to read as follows:

195.

(1) (a) Any member in service may retire upon written application to the board of trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member at the time so specified for his retirement shall have attained the age of sixty (60) or shall have rendered ~~thirty (30)~~ *twenty-five (25)* years of creditable service as a teacher and notwithstanding that, during such period of notification, he may have separated from service.

(b) Any member in service who has attained the age of 70 shall be retired forthwith provided that with the approval of the State Board of Education he may remain in the service until the end of the school year following the date on which he attains the age of 70.

(c) Any member in service who attains the age of seventy (70) during the present war and any retired member who was in service on January 1, 1942 may remain or be reinstated in service after attaining such age if, in the opinion of the official or body originally appointing such member, he is capable of performing the duties of his position and if such official or body appointing such member gives notice in writing to the board of trustees of intention to retain or reinstate such person in service, but the service of such person shall continue only during the present war and for a period of six months thereafter or to any earlier time at which he may voluntarily retire or at which the official or body appointing such member may determine that such member shall be retained or reinstated when there is available to fill his position an eligible and qualified person below the age of seventy (70); eligibility and qualification to be determined by the official or body authorized to fill the position of the member in question.