

Section 5-207. Judges' pensions; widows' pensions.

(a) Every judge of the Fifth Judicial Circuit elected by the qualified voters of the county, who resides in the county and who regularly serves in the Circuit Court for the county, whose active service is terminated, if he is then at least sixty years of age or when he becomes sixty years of age, shall be paid a pension for life by the county calculated at the rate of three hundred and seventy-five dollars per annum in addition to the pension received from the state under state law, for each year of active service as such judge, or any part thereof, by appointment as well as by election, up to and including sixteen years of such active service, it being intended that the maximum amount payable to any one person under this section shall not exceed the sum of six thousand dollars per annum, *provided that any such pension shall be reduced by an amount equal to the additional retirement allowance paid by the State of Maryland by virtue of the provisions of Section 49A of Article 26 of the Annotated Code of Maryland (1966 Replacement Volume and 1970 Supplement)*. Any judge who engages in the practice of law at any time after becoming eligible for the pension provided in this section, whether or not he elects to receive it, shall not at any time thereafter, whether or not he remains so engaged, be eligible for the pension herein provided. An elected judge who because of incapacitating illness is required to resign his position prior to reaching his sixtieth birthday is eligible at the time of such resignation for the pension provided in this section, calculated upon the number of years, or any part thereof, of active service prior to such resignation. Except for a judge who resigned prior to the effective date of this section, or who resigns because of incapacitating illness, no other judge who resigns prior to reaching his sixtieth birthday is entitled to any pension under the provisions of this section. The widow of every elected judge who dies in active service or who dies after having completed a full term but prior to becoming eligible for a pension shall be paid one-half the pension to which such judge would have been entitled on the date of his death, under the provisions of this section, if he had been eligible for retirement and had retired on such date irrespective of whether he shall have attained the age of sixty years at the date of his death. The widow of every judge who dies after retiring shall be paid one-half the pension which such judge was receiving at the time of his death. A widow who is entitled to a pension under the provisions of this section shall be paid for the period of her life unless she remarries, in which event the pension is to cease and terminate. The provisions of this section shall apply to widows of judges who have died prior to the effective date of this section as if it were in effect at the date of such death. The residence of the judge or widow after resignation or retirement shall in no way affect the benefits herein provided.

SECTION 2. *And be it further enacted*, That this Ordinance shall take effect forty-five (45) days from the date it becomes law.

APPROVED AND ENACTED: March 26, 1971.