

(b) (1) Each full-time judge of the People's Court of Montgomery County, including a judge who was continued in office as a judge of the District Court pursuant to Article IV, § 41-I (g) of the Constitution, shall be paid, after the termination of active service, if he is then at least sixty-two years of age, or when he becomes sixty-two years of age or upon application and proof by the judge before he becomes sixty-two years of age, to the County Council, that he is totally disabled from performing his duties by reason of his mental or physical health, a pension or salary in an amount equal to sixty percent (60%) of his maximum salary or one sixteenth (1/16) of that amount for each year of service, or a pro rata share to reflect less than a full year of service, if he has served less than sixteen years as a full-time judge of the People's Court or trial magistrate court or magistrate for juvenile causes for Montgomery County, provided, however, that no person serving less than twelve months as a judge under this subsection shall receive a pension or salary unless [such] THE 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-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 executive and 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 executive 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 of Montgomery County is hereby expressly authorized to levy for and pay pensions and salaries to [such] former judges of the People's Court who served on the [said] court upon the terms and for the periods as herein provided; and any such provision heretofore made is hereby ratified and confirmed. On and after July 1, 1970, each judge in active service shall contribute toward the cost of his pension in an amount equal to six percent (6%) of his annual compensation earned thereafter which shall be deducted from his compensation each pay period and paid to Montgomery County. It is further provided that any judge who has retired prior to July 1, 1970, may elect to continue under the retirement plan in effect at the time of his retirement or elect to receive the retirement benefits provided by this subsection by notifying the director of the department of finance of Montgomery County within sixty days after July 1, 1970, and paying to Montgomery County within the said sixty days a lump sum equal to six percent of this total salary received during the twelve months immediately preceding his retirement.

(2) The [widow] SURVIVING SPOUSE of every such judge who dies in active service shall be paid one half of the pension to which such judge would have been entitled on the date of his death if he had been eligible for retirement and had retired on said date irrespective of whether he shall have attained the age of 65 at the date of his death. The [widow] SURVIVING SPOUSE of every [such] judge who dies after retiring shall be paid one half of the pension which [such] THE judge was receiving at the date of his death. In order to be entitled to the pension provided by this subsection, a [widow] SURVIVING SPOUSE of a judge who dies during active service shall have been married to him for a period of not less than three years prior to his death, and, in the case of a death of a retired judge, not less than three years before his retirement. A [widow] SURVIVING