

CHAPTER 686

(Senate Bill 471)

AN ACT to repeal and re-enact, with amendments, Section 53(2)(c) of Article 88B of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "State Police," subtitle "State Police Retirement System," and to add new Section 53(11) to the same Article, Code, title and subtitle, to follow immediately after Section 53(10) thereof, to substitute the term "surviving spouse" for "widow" and to restore optional benefit provisions for single members and surviving spouses. make the pension benefits for survivors of retired State policemen available to surviving spouses and to provide additional benefit options.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 53(2)(c) of Article 88B of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "State Police," subtitle "State Police Retirement System," be and it is hereby repealed and re-enacted, with amendments; that new Section 53(11) be and it is hereby added to the same Article, Code, title and subtitle, to follow immediately after Section 53(10) thereof, and all to read as follows:

53.

(2)

(c) Upon the death of any member who has retired on a retirement service allowance:

(i) There shall be paid to [his widow] THE SURVIVING SPOUSE, if he leaves a [widow] SURVIVING SPOUSE, to continue [during her widowhood] UNTIL REMARRIAGE OF THE SURVIVING SPOUSE, one half of his retirement allowance; or

(ii) If there be no ELIGIBLE [widow] SURVIVING SPOUSE, or if [the] AN ELIGIBLE [widow] SURVIVING SPOUSE dies or remarries before the [younger] YOUNGEST child of such deceased member shall have attained the age of eighteen, then one half of the deceased member's retirement allowance shall be paid to his child or children, under said age [if he leaves children], divided in such manner as the board in its discretion shall determine to continue as a joint and survivorship pension for the benefit of the child or children under said age until every child dies or attains said age.

(11) IN LIEU OF THE DISABILITY OR SERVICE ALLOWANCES PAYABLE UNDER THE AFORESAID PROVISIONS, A MEMBER WHO AT THE TIME OF RETIREMENT DOES NOT HAVE A SPOUSE WHO WOULD BE ENTITLED TO A BENEFIT UNDER SECTION 53(2)(C) MAY, PRIOR TO THE FIRST RETIREMENT ALLOWANCE PAYMENT NORMALLY DUE, ELECT A REDUCED RETIREMENT ALLOWANCE OF EQUIVALENT ACTUARIAL VALUE IN ONE OF THE OPTIONAL FORMS SET OUT BELOW. THE ELECTION OF THE OPTION SHALL BE MADE ON A FORM PROVIDED FOR THAT PURPOSE AND SHALL BE FILED WITH THE BOARD OF TRUSTEES. SHOULD A MEMBER DIE PRIOR TO THE EXPIRATION OF THIRTY DAYS AFTER THE DATE OF THE FILING OF SUCH ELECTION OR PRIOR TO THIRTY DAYS AFTER RETIREMENT, SUCH ELECTION SHALL BE VOID AND OF NO EFFECT, AND THE BENEFITS PAYABLE ON HIS ACCOUNT SHALL BE THE SAME AS THOUGH HIS ELECTION HAD NOT BEEN FILED AND HE HAD DIED IN ACTIVE SERVICE. A MEMBER WHO HAS ELECTED