

MONTGOMERY COUNTY

designated beneficiary of a member who dies on or after November 1, 1971, while in the service of the County after his normal retirement date, may elect within sixty (60) days after the member's death, a spouse's benefit equal to the yearly amount of benefits which could have been payable to the spouse if the member had retired immediately before his death and he had elected a 100% joint and survivor pension option, and also, if the member meets the requirements for the benefit as specifically provided in Section 94-70(a) (2) the spouse shall be entitled to receive a death benefit equal to an amount of fifty percent (50%) of the member's final earnings.

(2) Spouse's benefit in the event of the death of an active full-time member after his elective early retirement date when such active member had remained as a full-time member after his elective early retirement date.

a. A surviving spouse who is the designated beneficiary of a member who dies on or after November 1, 1971, while in the service of the County may elect in lieu of the member contributions with credited interest, within sixty (60) days after the member's death, a spouse's benefit equal to the yearly amount of benefits which could have been payable to the spouse if the member had retired on early retirement immediately before his death and he had elected a 100% joint and survivor pension option and also, if the member meets the requirements for the benefit as specifically provided in Section 94-70(a) (2) the spouse shall be entitled to receive a death benefit equal to an amount of fifty percent (50%) of the member's final earnings.

SECTION 12. Section 70(i) is hereby deleted.

SECTION 13. Section 72(f), title "Judicial Appeal" is hereby added, as follows:

(F) JUDICIAL APPEAL. ANY FINAL DECISION ON RETIREMENT OF THE PERSONNEL BOARD MAY BE APPEALED BY A MEMBER TO ANY COURT OF COMPETENT JURISDICTION IN ACCORDANCE WITH THE MARYLAND RULES AND PROCEDURES, CHAPTER 1100, SUBTITLE B.