

Section 86 (3)  
 Annotated Code of Maryland  
 (As enacted by Chapter \_\_\_\_\_ of the Acts  
 of the General Assembly of 1978)

BY repealing and reenacting, with amendments,

Article 88B - State Police  
 Section 53 (3)  
 Annotated Code of Maryland  
 (1969 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 73B - Pensions

11.

(4) Upon the application of a member or of his department head, any member who has had five or more years of creditable service may be retired by the board of trustees on an ordinary disability retirement allowance, provided that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE RETIREMENT SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland (as enacted by Chapter \_\_\_\_\_ of the Acts of the General Assembly of 1978) be repealed, amended, or enacted to read as follows:

Article 73B - Pensions

86.

(3) Upon the application of a member or of his State or county superintendent of schools, any member who has had five or more years of creditable service may be retired by the board of trustees on a disability retirement allowance, provided that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE RETIREMENT SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT.