

CHAPTER 440

(House Bill 1086)

AN ACT concerning

Pension - Spouse of a Judge

FOR the purpose of providing for the continuation of the payment of pension benefits to the spouse of a deceased judge even if the spouse remarries; providing for certain benefits for certain spouses deprived of benefits; and clarifying language.

BY repealing and reenacting, with amendments,

Article 73B - Pensions
Section 55(j) and 56(e) and (g)
Annotated Code of Maryland
(1978 Replacement Volume and 1979 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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

55.

(j) "Spouse" is the surviving husband or wife of a deceased former judge [who has not remarried].

56.

(e) Upon the death of a judge or former judge at any age, his spouse shall be paid one half of the pension that would be payable from time to time to the former judge if he were living and eligible to receive a pension. [Provided, however] HOWEVER, the spouse of any judge who dies while in active service between July 1, 1977 and April 1, 1978[, provided he or she does not remarry,] is entitled to a pension equivalent to not less nor more than one sixth of the annual salary for judges of that court as of the date of death.

(g) If a former judge who is receiving a pension dies and leaves no spouse, or if a spouse who is receiving a pension dies [or remarries], payments under either plan shall cease, and [no] A person [has] MAY NOT HAVE any further rights arising from the judge's service.

SECTION 2. AND BE IT FURTHER ENACTED, That if a spouse of a deceased former judge was deprived of pension benefits by reason of remarriage, under the law as it existed prior to this Act, that spouse is entitled to receive the benefits provided by law for the surviving spouse of a deceased former judge, accounting from July 1, 1980.