

**CHAPTER 149**

**(Senate Bill 422)**

AN ACT concerning

**Employees' Pension System and Correctional Officers' Retirement System -  
Disability Retirement Allowances**

FOR the purpose of providing that certain members of the Employees' Pension System who have accrued a certain amount of service credit in the Correctional Officers' Retirement System may combine their eligibility service in the Employees' Pension System and the Correctional Officers' Retirement System for purposes of determining eligibility for an ordinary disability retirement allowance from the Employees' Pension System; determining the benefit to be received for an ordinary disability retirement for certain members of the Employees' Pension System who have accrued a certain amount of service credit in the Correctional Officers' Retirement System; determining the benefit to be received for a special disability retirement for certain members of the Employees' Pension System who have accrued a certain amount of service credit in the Correctional Officers' Retirement System; and generally relating to disability retirements for members of the Employees' Pension System who have accrued service credit in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 29-105, 29-108, and 29-110

Annotated Code of Maryland

(2004 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - State Personnel and Pensions**

29-105.

(A) The Board of Trustees shall grant an ordinary disability retirement allowance to a member if:

(1) the member has at least 5 years of eligibility service; and

(2) the medical board certifies that:

(i) the member is mentally or physically incapacitated for the further performance of the normal duties of the member's position;

(ii) the incapacity is likely to be permanent; and

(iii) the member should be retired.