

(1) IF A RETIREE RECEIVES A STATE DISABILITY RETIREMENT ALLOWANCE OR HAS 16 OR MORE YEARS OF CREDITABLE SERVICE, THE RETIREE OR THE RETIREE'S SURVIVING SPOUSE OR DEPENDENT CHILD IS ENTITLED TO THE SAME STATE SUBSIDY ALLOWED A STATE EMPLOYEE.

(2) IN ALL OTHER CASES, IF A RETIREE HAS AT LEAST 5 YEARS OF CREDITABLE SERVICE, THE RETIREE OR THE RETIREE'S SURVIVING SPOUSE OR DEPENDENT CHILD IS ENTITLED TO 1/16 OF THE STATE SUBSIDY ALLOWED A STATE EMPLOYEE FOR EACH YEAR OF THE RETIREE'S CREDITABLE SERVICE UP TO 16 YEARS.

REVISOR'S NOTE: Subsections (a), (b), and (c) of this section are new language derived without substantive change from former Art. 64A, § 48B(a), (b), (c)(1), and (c)(2)(i).

Subsection (a)(3)(ii)3 of this section is new language added for clarity inasmuch as those affected by this exclusion are covered separately by the provisions of § 8-109 of this subtitle.

In subsection (a)(2)(ii) of this section, the phrase "as defined in Article 73B, § 9-101 of the Code" is added to conform to the cross-reference in subsection (a)(4)(ii) of this section.

In subsection (a)(3) of this section, the term "retiree" is substituted for the former reference to a "beneficiary" for clarity.

In subsection (a)(4)(iv) of this section, the reference to a correctional officer "under Title 7 of Article 73B of the Code" is substituted for the former, erroneous reference to a correctional officer "as defined in Article 73B, § ... 7-101 ... of the Code"; the term "correctional officer" is no longer defined in Art. 73B, § 7-101.

In subsection (a)(4)(vi) of this section, the specific reference to a "State police officer, as defined in Article 73B, § 6-101 of the Code" is substituted for the former reference to an "employee ... as defined in Article 73B, § ... 6-101 ... of the Code" for clarity.

Subsection (a)(4)(vii) of this section is new language added to state explicitly what merely was implied in the former law — i.e., law enforcement officers perform "State service" for which credit is given for purposes of this section.

In subsection (b)(2)(i) of this section, the reference to the "surviving spouse or dependent child of a deceased retiree who was eligible to enroll" is substituted for the former reference to "designated beneficiaries" for clarity.

Former Art. 64A, § 48B(d), which required participants to pay costs not included in the State subsidy, is deleted as redundant.

Defined term: "Program" § 8-101

8-109. SAME — EMPLOYEES WITH OPTIONAL RETIREMENT.

(A) WHO MAY ENROLL.