

(2) FOR ITS DENOMINATOR, 16.

(D) EXCEPTIONS FOR RETIREMENT ON DISABILITY.

(1) THIS SUBSECTION APPLIES TO A MEMBER OR FORMER MEMBER WHO:

(I) RETIRES ON DISABILITY; OR

(II) IS DEEMED TO RETIRE ON DISABILITY UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(2) IF A MEMBER OR FORMER MEMBER HAS AT LEAST 3 YEARS OF SERVICE CREDIT AS A MEMBER, THE MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE THAT IS AT LEAST ONE-THIRD OF THE MEMBER'S OR FORMER MEMBER'S SALARY AT RETIREMENT.

(3) A MEMBER WHO DIES AFTER SUBMITTING AN APPLICATION FOR DISABILITY BUT BEFORE THE MEDICAL BOARD APPROVES THE APPLICATION IS DEEMED RETIRED ON DISABILITY.

REVISOR'S NOTE: Subsections (a), (b)(2), (c), and (d)(2) and (3) of this section are new language derived without substantive change from former Art. 73B, § 9-105(c).

Subsections (b)(1) and (d)(1) of this section are new language added for clarity.

In subsections (a) and (b) of this section, the references to "retirement under this subtitle" are added for clarity.

In subsection (a) of this section, the former reference to the "same" judicial position is deleted as included in the reference to the "same level" judicial position.

Also in subsection (a) of this section, the former clause, "provided that the former judge served 16 years or more", is deleted in light of subsection (c) of this section.

In subsection (b) of this section, the reference to "a rate equal to the average rate of increase of salaries" is substituted for the former reference to "a percentage equal to the average of the percentage increases in salaries" for accuracy.

In subsection (c) of this section, the reference to a "service credit as a member" is substituted for the former references to "active judicial service" for clarity.

Also in subsection (c) of this section, the reference to a "reduced retirement allowance" is added for clarity.

In subsection (d)(2) of this section, the reference to salary "at retirement" is added for clarity.