

(3) THE LOCAL FIRE AND POLICE SYSTEM, IF THE MEMBER HAD TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM; OR

(4) THE TEACHERS' RETIREMENT SYSTEM.

(B) ELECTION DESCRIBED.

A SURVIVING SPOUSE MAY ELECT TO RECEIVE ONE OF THE FOLLOWING:

(1) THE DEATH BENEFIT, UNDER § 29-202 OF THIS SUBTITLE; OR

(2) AN ALLOWANCE EQUAL TO THE AMOUNT PAYABLE UNDER OPTION 2 AS DESCRIBED IN § 21-403 OF THIS ARTICLE, IF:

(I) THE SPOUSE IS THE SOLE PRIMARY DESIGNATED BENEFICIARY; AND

(II) THE MEMBER:

1. WAS ELIGIBLE TO RETIRE; OR

2. WAS AT LEAST 55 YEARS OLD WITH AT LEAST 15 YEARS OF ELIGIBILITY SERVICE.

REVISOR'S NOTE: Subsection (a) of this section is new language added for clarity.

Subsection (b) of this section is new language derived without substantive change from former Art. 73B, §§ 2-417(c), 3-414(c), 7-410(c), and 10-224(d).

In subsection (b) of this section, the former references to an individual who died while "in service" are deleted in light of the reference in subsection (a) of this section to an individual who died "while employed as a member" to reflect that "service" is no longer a defined term.

In subsection (b)(1) of this section, the reference to the "death benefit" is substituted for "lump sum benefit" for clarity and consistency.

In subsection (b)(2) of this section, the words "monthly" and "for life" that formerly modified "allowance" are deleted as included in the defined term "allowance".

Also in subsection (b)(2) of this section, the reference to "§ 21-403 of this article" is added for clarity.

Defined terms: "Allowance" § 20-101

"Correctional Officers' Retirement System" § 20-101

"Designated beneficiary" § 20-101

"Eligibility service" § 20-101

"Employees' Retirement System" § 20-101

"Local Fire and Police System" § 20-101

"Member" § 20-101

"Teachers' Retirement System" § 20-101