

(iii) Option 3. Upon the death of a retiree who has elected this option, one-half of the reduced retirement allowance shall be continued throughout the life of and paid to the retiree's designated beneficiary;

(iv) 1. Option 4. - General. If a retiree who has elected this option dies before receiving in payments the value of the retiree's accumulated contributions at the time of retirement, the balance shall be paid to the retiree's designated beneficiary or, if there is no designated beneficiary, to the retiree's estate;

2. Option 4. - Special. If a retiree has elected this option, some other benefit or benefits shall be paid either to the retiree or on the death of the retiree to the retiree's designated beneficiary or beneficiaries if the other benefit or benefits, together with the reduced allowance, are of equivalent actuarial value to the retiree's allowance, and are approved by the Board of Trustees;

(v) Option 5. Upon the death of a retiree who has elected this option, the reduced allowance shall be continued throughout the life of and paid to the retiree's designated beneficiary. However, if the designated beneficiary predeceases the retiree, then from the date of death of the designated beneficiary, the retiree shall receive the allowance as if no optional form of payment was elected at the time of retirement; or

(vi) Option 6. Upon the death of a retiree who has elected this option, one-half of the reduced allowance shall be continued throughout the life of and paid to the retiree's designated beneficiary. However, if the designated beneficiary predeceases the retiree, then from the date of death of the designated beneficiary, the retiree shall receive the allowance as if no optional form of payment was elected at the time of retirement.

(3) (i) On the death of a retiree whose designated beneficiary has predeceased the retiree or who has not selected an option, the portion of the allowance that is due for the month in which the retiree dies shall be paid to the retiree's estate.

(ii) On the death of a designated beneficiary who is receiving payments for life, the portion of the allowance that is due for the month in which the beneficiary dies shall be paid to the beneficiary's estate.

(h) An election required or permitted to be made under this subtitle by a judge or a former judge is binding on the judge and on the judge's spouse.

REVISOR'S NOTE: This section formerly was Art. 73B, § 9-104.

Former § 9-104 is not retained in the Code because, as it related to the noncontributory plan of the Judges' Retirement System, it is apparently obsolete because there are no active members of the noncontributory plan. However, it is transferred to the Session Laws to avoid any inadvertent substantive effect that its repeal might have.

The only changes are in style.