

System, Teachers' Pension System, or the Local Fire and Police System to apply retroactively.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 29–206

Annotated Code of Maryland

(1994 Volume and 1995 Supplement)

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

**Article – State Personnel and Pensions**

29–206.

(a) This section applies to the surviving spouse of an individual who died while employed as a member of:

(1) the Employees' Pension System;

(2) the Teachers' Pension System; or

(3) the Local Fire and Police System, if the member had not transferred from the Employees' Retirement System.

(b) 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;

2. had at least 25 years of eligibility service; or

3. was at least 55 years old with at least 15 years of eligibility service.

SECTION 2. AND BE IT FURTHER ENACTED, That Chapter ~~775~~ 567 of the Acts of the General Assembly of 1995 be construed retroactively and shall be applied to and interpreted to affect eligibility for benefits for a surviving spouse of a deceased member of the Employees' Pension System, the Teachers' Pension System, or the Local Fire and Police System ~~who had not transferred from the Employees' Retirement System~~, if the deceased member died on or after January 1, 1994.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1996.