

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2004.

Approved May 11, 2004.

CHAPTER 249

(Senate Bill 78)

AN ACT concerning

Judges' Retirement System - Death Benefits - Surviving Spouses

FOR the purpose of removing the age restriction for a surviving spouse to receive the death benefit of a former member or retiree of the Judges' Retirement System; and generally relating to death benefits for surviving spouses of former members or retirees of the Judges' Retirement System.

BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 27-403

Annotated Code of Maryland

(1997 Replacement Volume and 2003 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

27-403.

(a) (1) Except as provided in paragraph (2) of this subsection, on the death of a member, the Board of Trustees shall pay to the surviving spouse 50% of the retirement allowance that would be payable were the member alive and eligible to receive a retirement allowance.

(2) (i) If at the time of death the member does not have a surviving spouse, the Board of Trustees shall pay to the member's designated beneficiary or beneficiaries a lump-sum death benefit consisting of the sum of:

1. the member's accumulated contributions; and
2. an amount equal to the member's annual salary at the time of death.

(ii) If a member has designated more than one beneficiary, the lump-sum death benefit provided in item (i) of this paragraph shall be divided equally among the beneficiaries.

(b) On the death of a former member or retiree, the Board of Trustees shall pay to the surviving spouse[, when the surviving spouse is at least 50 years old,] 50%