

SUBSECTION. IF A PERSON SERVES IN THE OFFICE OF GOVERNOR AFTER JANUARY 17, 1979 FOR AT LEAST ONE FULL TERM, BUT LESS THAN TWO FULL TERMS, THE GOVERNOR SHALL BE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE EQUAL TO ONE THIRD THE SALARY RECEIVED DURING THE GOVERNOR'S LAST TERM OF OFFICE, PROVIDED THAT THE GOVERNOR HAS ATTAINED AGE 55. IF A PERSON SERVES IN THE OFFICE OF GOVERNOR AFTER JANUARY 17, 1979 FOR AT LEAST TWO FULL TERMS, THE GOVERNOR SHALL BE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE EQUAL TO ONE HALF THE SALARY RECEIVED DURING THE GOVERNOR'S LAST TERM OF OFFICE, PROVIDED THAT THE GOVERNOR HAS ATTAINED AGE 55. THE RETIREMENT ALLOWANCE SO DETERMINED SHALL CONTINUE FOR THE LIFE OF THE RETIREE. THIS RETIREMENT ALLOWANCE OR PENSION SHALL BE SUSPENDED AND NOT PAID DURING ANY PERIOD WHEN THE FORMER GOVERNOR IS EMPLOYED BY ANY AGENCY OF THE STATE OF MARYLAND. A GOVERNOR LEAVING OFFICE AT ANY TIME BECAUSE OF PHYSICAL OR MENTAL DISABILITY, PURSUANT TO THE PROVISIONS OF CONSTITUTION ARTICLE II, SECTION 6(C), INCLUDING A GOVERNOR WHO BECOMES DISABLED BEFORE HAVING SERVED AT LEAST ONE TERM, SHALL BEGIN RECEIVING A RETIREMENT ALLOWANCE IMMEDIATELY UPON LEAVING OFFICE EQUAL TO THE AMOUNT THE GOVERNOR WOULD HAVE RECEIVED HAD THE GOVERNOR COMPLETED THE GOVERNOR'S CURRENT TERM AND ATTAINED AGE 55. HOWEVER, WHEN SUCH PHYSICAL OR MENTAL DISABILITY NO LONGER EXISTS AND THE RETIREE HAS NOT YET ATTAINED AGE 55, THIS DISABILITY RETIREMENT ALLOWANCE SHALL TERMINATE. WHEN SUCH RETIREE ATTAINS AGE 55, THE RETIREE SHALL RECEIVE THE NORMAL RETIREMENT ALLOWANCE PROVIDED THE RETIREE IS OTHERWISE QUALIFIED. UPON THE DEATH OF A GOVERNOR AT ANY TIME AFTER LEAVING OFFICE, THE SURVIVING SPOUSE, REGARDLESS OF AGE, SHALL RECEIVE A BENEFIT FOR THE REMAINDER OF THE SPOUSE'S LIFE EQUAL TO ONE HALF THE BENEFIT WHICH THE RETIRED GOVERNOR WAS RECEIVING OR WOULD HAVE BEEN ENTITLED TO RECEIVE, INCLUDING ANY COST OF LIVING ADJUSTMENTS. UPON THE DEATH OF A GOVERNOR WHILE IN OFFICE, THE SURVIVING SPOUSE, REGARDLESS OF THE AGE OF THE GOVERNOR OR THE SPOUSE, SHALL RECEIVE FOR THE REMAINDER OF THE SPOUSE'S LIFE ONE HALF THE BENEFIT WHICH THE GOVERNOR WOULD HAVE BEEN ENTITLED TO RECEIVE HAD THE GOVERNOR COMPLETED THE GOVERNOR'S CURRENT TERM AND ATTAINED AGE 55. THE BENEFITS PROVIDED IN THIS SUBSECTION FOR A RETIRED GOVERNOR AND THE SURVIVING SPOUSE OF THE RETIRED GOVERNOR SHALL BE ADJUSTED FROM YEAR TO YEAR FOR COST OF LIVING CHANGES IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN § 4-402 OF THIS ARTICLE.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 11(19).

In subsection (a) of this section, the phrases "Notwithstanding anything to the contrary" and "Notwithstanding the provisions of" are deleted as ambiguous.