

COMMITTEE NOTE: This section formerly appeared as Art. 88B, § 53(q)(4).

The term "former member" is substituted for "person" to more accurately describe the person to whom this provision applies.

The term "vested allowance" is substituted for "vested retirement allowance" to distinguish it from allowances received on retirement.

The clause "whose death occurs before payment of the vested allowance commences" is substituted for "dies prior to his or her effective date" for clarity since a former member does not retire.

TITLE 7. CORRECTIONAL OFFICERS' RETIREMENT SYSTEM.

COMMITTEE NOTE TO TITLE: The Correctional Officers' Retirement System was established under Chapter 697 of the Acts of 1974. Many of the former provisions concerning the system contained either explicit or implicit references to provisions of the Employees' Retirement System. In order to clarify the provisions that apply to this system, relevant provisions of the Employees' Retirement System have been added in this title. Some of the additional provisions replace the former cross-references to other sections. Other additional provisions incorporate provisions that implicitly apply to this system based on administrative interpretations of former Art. 73B, § 156(e) that states that "The administration, management, and funding of the benefits" under this system "are the same as those provided by the Employees' Retirement System of the State of Maryland." The Committee Note following each section or subsection specifies the reasons for each provision that has been added to this title.

SUBTITLE 1. GENERAL PROVISIONS.

7-101. DEFINITIONS.

COMMITTEE NOTE TO SECTION: The definitions added as new language in this section are identical to or derived from the corresponding definitions for the Employees' Retirement System in Title 2. The definitions are added for clarity and consistency with other titles.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

COMMITTEE NOTE: This subsection is new language that is standard introductory language to a definition section.

(B) (1) "AVERAGE FINAL COMPENSATION" MEANS THE AVERAGE ANNUAL EARNABLE COMPENSATION OF AN EMPLOYEE FOR THE 3 YEARS OF SERVICE AS AN EMPLOYEE DURING WHICH THE EMPLOYEE'S EARNABLE COMPENSATION WAS HIGHEST, OR IF THE EMPLOYEE HAD LESS THAN 3 YEARS OF SERVICE, THEN THE EMPLOYEE'S AVERAGE EARNABLE COMPENSATION FOR HIS OR HER TOTAL SERVICE.