

(1) THE SPOUSE IS NAMED AS THE SOLE PRIMARY BENEFICIARY; AND

(2) THE MEMBER:

(I) WAS ELIGIBLE TO RETIRE; OR

(II) HAD AT LAST 15 YEARS OF CREDITABLE SERVICE AND WAS 55 YEARS OLD OR OLDER.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 157B(e).

In subsections (a) and (c) of this section, changes are made to conform this subtitle to other titles of this article.

In subsection (d) of this section, new language is added to replace the former cross-reference.

10-225. VESTED ALLOWANCE.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY MEMBER WHOSE SERVICE IS TERMINATED OTHER THAN BY DEATH OR RETIREMENT AFTER THE MEMBER HAS RENDERED 5 OR MORE YEARS OF CREDITABLE SERVICE SHALL BE ELIGIBLE TO RECEIVE A VESTED ALLOWANCE. THE VESTED ALLOWANCE SHALL BE A DEFERRED ALLOWANCE THAT BEGINS AT AGE 62 AND SHALL BE COMPUTED AS A SERVICE RETIREMENT ALLOWANCE AS PROVIDED UNDER § 10-201(C)(1) OF THIS SUBTITLE ON THE BASIS OF THE MEMBER'S AVERAGE FINAL COMPENSATION AND CREDITABLE SERVICE AT THE TIME THE MEMBER'S SERVICE IS TERMINATED.

(B) ANY MEMBER WHO HAS TRANSFERRED TO THIS PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM AND WHOSE SERVICE IS TERMINATED OTHER THAN BY DEATH OR RETIREMENT AFTER THE MEMBER HAS RENDERED 5 OR MORE YEARS OF CREDITABLE SERVICE SHALL BE ELIGIBLE TO RECEIVE A VESTED ALLOWANCE. THE VESTED ALLOWANCE SHALL BE A DEFERRED ALLOWANCE THAT BEGINS AT AGE 60 AND SHALL BE COMPUTED AS A SERVICE RETIREMENT ALLOWANCE AS PROVIDED UNDER § 10-201(C)(2) OF THIS SUBTITLE ON THE BASIS OF THE MEMBER'S AVERAGE FINAL COMPENSATION AND CREDITABLE SERVICE AT THE TIME THE MEMBER'S SERVICE IS TERMINATED.

(C) THE VESTED ALLOWANCE RECEIVABLE UNDER THIS SECTION MAY BE IN ONE OF THE OPTIONAL FORMS SET FORTH IN § 10-220 OF THIS SUBTITLE.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 157B(f). The term "vested allowance" is substituted for "vested retirement allowance" to distinguish it from allowances received on retirement.