

(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.

(C) A DEATH BENEFIT UNDER THIS SECTION MAY NOT BE PAID FOR THE DEATH OF A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM IF A SPECIAL DEATH BENEFIT UNDER § 29-204.2 OF THIS SUBTITLE IS PAYABLE OR HAS BEEN PAID FOR THAT DEATH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any individual who died on or after January 1, 2007, while employed by the State Highway Administration as a member of the Employees' Retirement System or Employees' Pension System:

- (1) without willful negligence by the individual; and
- (2) with death arising out of or in the course of the actual performance of duty.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2008.

Approved by the Governor, May 13, 2008.

CHAPTER 520

(House Bill 744)

AN ACT concerning

Correctional Services - Maryland Correctional Enterprises - Construction Services - Training

FOR the purpose of allowing Maryland Correctional Enterprises to develop certain training programs to provide certain construction and construction-related