

CHAPTER 263

(House Bill 1013)

AN ACT concerning

Governor's Pension Plan – Surviving Spouse Benefits

FOR the purpose of providing certain death benefits to surviving spouses of former Governors; and generally relating to death benefits for surviving spouses of former Governors.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–405
Annotated Code of Maryland
(2004 Replacement Volume and 2006 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

22–405.

(a) Subject to subsection (d) of this section, if a Governor serves for at least:

(1) one full term, the Governor is entitled to receive a retirement allowance equal to one–third of the annual salary received by the current Governor in office; or

(2) two full terms, the Governor is entitled to receive a retirement allowance equal to one–half of the annual salary received by the current Governor in office.

(b) The Board of Trustees shall suspend a retirement allowance received under this section during any period when the former Governor is employed by a unit of State government.

(c) Except as provided in subsection (d) of this section, a Governor may not receive a retirement allowance under this subsection until the Governor is at least 55 years old.

(d) (1) A Governor who leaves office because of physical or mental disability, under Article II, Section 6(c) of the Maryland Constitution, shall immediately receive a disability retirement allowance equal to the amount the Governor would have received had the Governor completed the current term and become 55 years old.

(2) If the physical or mental disability ends before the former Governor becomes 55 years old, the Board of Trustees shall stop the disability retirement allowance, but the former Governor shall receive the normal retirement allowance at age 55 if otherwise qualified.

(e) On the death of a former Governor [who has retired under this subsection], the surviving spouse of the former Governor shall receive an allowance that is equal to one-half of the former Governor's retirement allowance.

(f) On the death of a Governor while in office, the deceased Governor's surviving spouse shall receive one-half of the retirement allowance that the deceased Governor would have been entitled to receive had the deceased Governor completed the current term and become 55 years old.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, April 24, 2007.