

(ii) the member:

1. was eligible to retire; or
2. 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 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IF A SPECIAL DEATH BENEFIT UNDER § 29-204.1 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 dies while employed as a member of the Correctional Officers' Retirement System on or after January 1, 2006.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved May 2, 2006.

CHAPTER 280

(House Bill 673)

AN ACT concerning

Correctional Officers' Retirement System - Line of Duty Death Benefits

FOR the purpose of providing that certain minor children of certain correctional officers are entitled to enroll and participate in the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; providing that surviving spouses or certain children of certain deceased members of the Correctional Officers' Retirement System are eligible to receive a certain death benefit under certain circumstances; prohibiting the payment of certain death benefits to surviving spouses or certain children of certain deceased members of the Correctional Officers' Retirement System if the surviving spouse or children are receiving a line of duty death benefits; providing for the application of this Act; making this Act an emergency measure; and generally relating to line of duty death benefits for surviving spouses and children of deceased members of the Correctional Officers' Retirement System.

BY repealing and reenacting, without amendments,

Article - State Personnel and Pensions

Section 29-202(a)