

The only amendment to Art. 65, § 88 which specifically limited its application prospectively to employees retiring on or after a certain date is Ch. 563, Acts of 1991 which included a definition of "military service" to include active service during certain periods with the Commissioned Corps of the Public Health Service or of the National Oceanic and Atmospheric Administration or its predecessor organization, the Coast and Geodetic Survey. Section 2 of Ch. 563 specifically stated that this Act is "applicable only to persons retiring on or after July 1, 1991".

The deletion of § 88(h) clarifies that § 88 applies regardless of when an employee retires except as specifically provided in the introductory language of § 38-101(d)(4).

SUBTITLE 2. OTHER SERVICE CREDIT REQUIRED IN LOCAL RETIREMENT SYSTEMS.

38-201. SERVICE CREDIT REQUIRED IN LOCAL RETIREMENT SYSTEMS FOR MEMBERS OF GENERAL ASSEMBLY.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES ONLY TO INDIVIDUALS WHO ARE MEMBERS OF THE GENERAL ASSEMBLY FROM AND AFTER JANUARY 15, 1963.

(B) SERVICE CREDIT REQUIRED.

NOTWITHSTANDING ANY PROVISIONS OF GENERAL OR LOCAL LAW TO THE CONTRARY, ANY MEMBER OF A LOCAL RETIREMENT SYSTEM THAT IS OPERATED ON AN ACTUARIAL BASIS, AS DESCRIBED IN TITLE 37 OF THIS ARTICLE, WHO IS ON LEAVE OF ABSENCE WITHOUT PAY FROM EMPLOYMENT WITH A POLITICAL SUBDIVISION OF THE STATE TO SERVE AS A MEMBER OF THE GENERAL ASSEMBLY SHALL, ON APPLICATION, RECEIVE SERVICE CREDIT IN THE LOCAL RETIREMENT SYSTEM FOR THE PERIOD OF THE ABSENCE REQUIRED FOR SERVICE IN THE GENERAL ASSEMBLY.

(C) PAYMENT OF MEMBER CONTRIBUTIONS.

TO RECEIVE THE BENEFIT OF THE SERVICE CREDIT PROVIDED UNDER THIS SECTION, THE MEMBER OF THE GENERAL ASSEMBLY SHALL CONTRIBUTE INTO THE LOCAL RETIREMENT SYSTEM, AT THE MEMBER'S USUAL RATE OF CONTRIBUTION BASED UPON THE SALARY OF THE POSITION FROM WHICH THE MEMBER IS ON LEAVE WITHOUT PAY TO SERVE AS A MEMBER OF THE GENERAL ASSEMBLY.

(D) SERVICE CREDIT CERTIFIED BY COMPTROLLER OF THE STATE.

THE COMPTROLLER OF THE STATE SHALL MAKE APPROPRIATE CERTIFICATIONS AS TO THE SERVICE CREDIT TO WHICH THE MEMBERS OF THE GENERAL ASSEMBLY ARE ENTITLED UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 2-306(d).