

Department who transferred from the Employees' Retirement System to the Employees' Pension System on or after December 1, 1996; OR

(3) A LAW ENFORCEMENT OFFICER EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR AFTER DECEMBER 1, 1997.

26-202.

(a) Except as provided in subsection (b) of this section, an individual described in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension System as a condition of employment.

(b) (1) Subject to paragraph (2) of this subsection, membership in the Law Enforcement Officers' Pension System is optional for an individual described in § 26-201 of this subtitle:

(i) who was employed by the Department of Natural Resources on July 1, 1990 and who elects membership on or before December 31, 1997;

(ii) who was employed by the Maryland Investigative Services Unit on June 30, 1995 and who elects membership on or before December 31, 1997;

(iii) who was employed by the Maryland Transportation Authority on June 30, 1997 and who elects membership on or before December 31, 1997; [or]

(iv) who was employed by the Baltimore City Sheriff's Department on June 30, 1997 and who elects membership on or before December 31, 1997; OR

(V) WHO IS EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT ON THE EFFECTIVE DATE OF PARTICIPATION ON OR AFTER JULY 1, 1999 FOR THAT PARTICIPATING GOVERNMENT UNIT AND WHO ELECTS MEMBERSHIP WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF PARTICIPATION.

(2) To elect to be a member of the Law Enforcement Officers' Pension System, an individual shall file a written application with the State Retirement Agency.

(3) If an individual does not elect membership during the applicable period specified under paragraph (1) of this subsection, the individual may not become a member of the Law Enforcement Officers' Pension System.

26-203.1.

(A) For members who transfer from the Employees' Pension System or the Employees' Retirement System, the Board of Trustees shall transfer to the accumulation fund of the Law Enforcement Officers' Pension System the employer contributions that were made to the Employees' Retirement System and the Employees' Pension System on behalf of those members who transferred, plus the interest earned on those contributions through the date of transfer.

(B) (1) FOR MEMBERS WHO TRANSFER FROM A LOCAL PENSION SYSTEM, THE LOCAL PENSION SYSTEM SHALL TRANSFER TO THE BOARD OF TRUSTEES THE