

SEC. 3. *And be it further enacted, That this Act shall take effect July 1, 1971.*

Approved April 29, 1971

CHAPTER 229
(Senate Bill 277)

AN ACT to repeal and re-enact, with amendments, Section 3 (5) of Article 73B of the Annotated Code of Maryland (1970 Replacement Volume), title "Pensions," subtitle "In General," to grant credit for previous service as an elected or appointed official to members of the Employees Retirement System of Maryland upon payment of certain sums of money.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 3 (5) of Article 73B of the Annotated Code of Maryland (1970 Replacement Volume), title "Pensions," subtitle "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

3.

(5) Notwithstanding anything to the contrary in this article, membership in the retirement system shall be optional with any class of officials elected or appointed; or with any employees of the Governor's office, or with any desk officer or employee of either house of the General Assembly who receives an annual salary as his compensation for such employment, who shall be deemed to be an appointed official within the application of this subsection. All officials elected or appointed on or after July 1, 1957, may become members of the system upon making application therefor at any time after their elections or appointment and before the expiration of their respective terms. All such officials shall be entitled to credit for previous service rendered by them to the State, or a participating municipal corporation, including service rendered prior to the establishment of the Employees' Retirement System. If any such official is entitled to a pension or retirement allowance under the provisions of any other law, and such pension or retirement allowance ~~under the provisions of any other law, and such pension or retirement allowance~~ is supported wholly or in part by the State of Maryland, except benefits from social security, such official shall be deemed to have waived the benefits thereof by accepting the payment of benefits under this article. Upon receiving a claim for such service credit from the official, the board of trustees of the retirement system shall verify the fact of such previous employment and the creditable service to which the member is entitled, compute the amount due from such political subdivision for which credit is claimed, and submit a statement to the participating municipal corporation for such amount, such computation to be based upon the compensation actually received by the official from the municipal corporation during the period for which service is to be credited. The participating municipal corporation is authorized and directed forthwith to pay the said