

~~(5) 6.5% OF THE MEMBER'S EARNABLE COMPENSATION RECEIVED ON OR AFTER JULY 1, 2010.~~

~~(D) THE CONTRIBUTION RATE OF A MEMBER OF THE TEACHERS' PENSION SYSTEM WHO IS SUBJECT TO THE MODIFIED CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE IS 6.5% OF THE MEMBER'S EARNABLE COMPENSATION.~~

23-217.

(a) Except as provided in subsection (b) of this section, this Part II of this subtitle applies to an individual who is:

(1) a member of the Employees' Pension System or the Teachers' Pension System; or

(2) a member of the Employees' Retirement System or the Teachers' Retirement System subject to Selection C (Combination Formula) as provided in § 22-221 of this article.

(b) This Part II of this subtitle does not apply to an individual who is:

(1) an employee of:

(i) a participating governmental unit that has not elected the contributory pension benefit for its employees under § 31-116 of this article; or

(ii) a former participating governmental unit, other than Frederick County, that has withdrawn; [or]

(2) a member of the Employees' Pension System or Teachers' Pension System who transferred from the Employees' Retirement System or Teachers' Retirement System after April 1, 1998; OR

~~(3) A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM WHO IS SUBJECT TO THE MODIFIED ALTERNATE CONTRIBUTORY PENSION BENEFIT SELECTION UNDER PART III OF THIS SUBTITLE.~~

23-219. RESERVED.

23-220. RESERVED.

PART III. ~~MODIFIED~~ ALTERNATE CONTRIBUTORY PENSION BENEFIT SELECTION.

23-221.

(A) IN THIS SECTION, "ACTIVE MEMBER" MEANS A MEMBER WHO IS NOT SEPARATED FROM EMPLOYMENT WITH THE STATE OR A PARTICIPATING EMPLOYER OF THE STATE.

~~(A)~~ (B) EXCEPT AS PROVIDED IN SUBSECTION ~~(B)~~ (C) OF THIS SECTION, THIS PART APPLIES TO AN INDIVIDUAL WHO IS A ON OR AFTER JUNE 30, 2006, IS: