

(B) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER OF THE EMPLOYEES' PENSION SYSTEM WHO:

(I) IS PROMOTED WITHIN THE DEPARTMENT OF CORRECTIONS TO A POSITION THAT NO LONGER IS ELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS' PENSION SYSTEM AS PROVIDED IN § 25-201 OF THIS ARTICLE;

(II) ELECTS NOT TO TRANSFER THE YEARS OF CREDITABLE SERVICE THE INDIVIDUAL ACCRUED IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM; AND

(III) IS ELIGIBLE TO RECEIVE A VESTED ALLOWANCE FROM THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM.

(2) A MEMBER MAY COMBINE THE ELIGIBILITY SERVICE ACCRUED IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AND THE EMPLOYEES' PENSION SYSTEM TO DETERMINE IF THE MEMBER IS ELIGIBLE FOR AN ORDINARY DISABILITY RETIREMENT ALLOWANCE UNDER SUBSECTION (A) OF THIS SECTION FROM THE EMPLOYEES' PENSION SYSTEM.

29-108.

(a) This section applies only to members of:

- (1) the Employees' Pension System;
- (2) the Local Fire and Police System;
- (3) the Law Enforcement Officers' Pension System; and
- (4) the Teachers' Pension System.

(b) Except as provided in subsections ~~(c) and (d)~~ (C), (D), AND (E) of this section, an ordinary disability retirement allowance equals:

(1) if the member is at least normal retirement age, a normal service retirement allowance; or

(2) if the member is under normal retirement age, a normal service retirement allowance that is computed by using:

(i) the number of years of creditable service the member would have received if the member continued employment until normal retirement age; and

(ii) an average final compensation the member would have received if the member continued employment without a change in earnable compensation.

(c) A member of the Employees' Pension System or the Teachers' Pension System who has transferred from the Employees' Retirement System or the Teachers' Retirement System shall receive the benefits provided under the State system from which the member transferred, offset by any refunded contributions including any interest received in connection with the transfer, if: