

(1) the member applies for the retirement allowance within 2 years after the transfer; and

(2) the Board of Trustees grants a disability retirement allowance to the member.

(d) (1) This subsection applies only to:

(i) a member of the Local Fire and Police Pension System who has transferred from the Employees' Retirement System; or

(ii) a member of the Law Enforcement Officers' Pension System who has transferred from the Employees' Retirement System after electing to receive benefits in accordance with Selection A (Additional member contributions) as defined in § 22-101(b) of this article or Selection B (Limited cost-of-living adjustment) as defined in § 22-101(c) of this article.

(2) An ordinary disability retirement allowance equals the greater of:

(i) a normal service retirement allowance; or

(ii) 25% of the member's average final compensation.

(E) (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~~ RETIREMENT 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) AN ORDINARY DISABILITY RETIREMENT ALLOWANCE EQUALS:

(I) A NORMAL SERVICE RETIREMENT ALLOWANCE IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ~~AND IS~~ BASED ON THE MEMBER'S TOTAL YEARS OF CREDITABLE SERVICE ACCRUED IN ~~BOTH~~ THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ~~AND~~; PLUS

(II) AN ORDINARY DISABILITY RETIREMENT ALLOWANCE BASED ON THE MEMBER'S TOTAL YEARS OF CREDITABLE SERVICE ACCRUED IN THE EMPLOYEES' PENSION SYSTEM.

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(a) This section does not apply to the State Police Retirement System.