

(II) A CREDIT OF ELIGIBILITY SERVICE UNDER THIS PARAGRAPH IS ALLOWED ONLY IF:

1. THE NUMBER OF CONSECUTIVE 1-YEAR BREAKS IN SERVICE OF THE FORMER MEMBER DOES NOT AT LEAST EQUAL THE AGGREGATE NUMBER OF YEARS OF ELIGIBILITY SERVICE RENDERED AS A MEMBER OF THE PENSION SYSTEM FOR EMPLOYEES BEFORE THE BREAK IN SERVICE, DETERMINED AS OF THE TIME OF THE BREAK IN SERVICE, EXCLUDING ANY ELIGIBILITY SERVICE DISREGARDED UNDER § 114 OF THIS ARTICLE BECAUSE OF ANY PRIOR BREAK IN SERVICE; OR

2. THE FORMER MEMBER WAS ENTITLED TO A VESTED RETIREMENT ALLOWANCE FROM THE PENSION SYSTEM FOR EMPLOYEES AT THE TIME OF THE BREAK IN SERVICE.

(C) ON A CREDIT OF ELIGIBILITY SERVICE UNDER PARAGRAPH (A) OR PARAGRAPH (B) OF THIS SUBSECTION, THE FORMER MEMBER OF THE PENSION SYSTEM FOR EMPLOYEES HAS NO FURTHER RIGHTS IN THAT PENSION SYSTEM FOR EMPLOYEES.

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(7) Any creditable service to which a member restored to service was entitled at the time of his previous termination of service that is included in the eligibility service restored OR CREDITED under § 143(5) OR (6) of this subtitle shall be restored OR CREDITED to him provided he repays the amount of any accumulated contributions or any lump sum settlement received on his prior termination of service, with interest at a rate to be established from time to time by the board of trustees. However, that member may waive the repayment of the accumulated contributions, in which case, on retirement, any service retirement allowance or any ordinary disability retirement allowance payable to the member shall be reduced by the actuarial equivalent of the contributions that he had not repaid, with interest to date of retirement.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act shall apply to any former member of the pension system for teachers or the pension system for employees who was restored to service in either the pension system for teachers or the pension system for employees from January 1, 1980.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

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