

PERMANENT; AND

2. THE INCAPACITY IS LIKELY TO BE

3. THE MEMBER SHOULD BE RETIRED.

(II) IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE PENSION SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE PENSION SYSTEM FOR EMPLOYEES OF THE STATE OF MARYLAND OR FROM THE EMPLOYEES' RETIREMENT SYSTEM TO THIS PENSION SYSTEM SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE PENSION SYSTEM FROM WHICH THE MEMBER TRANSFERRED.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON RETIREMENT ON ORDINARY DISABILITY, A MEMBER SHALL RECEIVE:

1. A SERVICE RETIREMENT ALLOWANCE IN ACCORDANCE WITH SUBSECTION (C)(1) OF THIS SECTION, IF THE MEMBER IS AT LEAST 62 YEARS OLD; OR

2. IF THE MEMBER IS YOUNGER THAN 62 YEARS OLD, A SERVICE RETIREMENT ALLOWANCE ON THE BASIS OF THE MEMBER'S AVERAGE FINAL COMPENSATION AND WITH THE CREDITABLE SERVICE THAT THE MEMBER WOULD HAVE RECEIVED HAD THE MEMBER CONTINUED IN SERVICE UNTIL 62 YEARS OLD WITHOUT ANY CHANGE IN THE RATE OF THE MEMBER'S EARNABLE COMPENSATION.

(II) ON RETIREMENT ON ORDINARY DISABILITY, A MEMBER WHO HAS TRANSFERRED TO THIS PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND SHALL RECEIVE:

1. IF THE MEMBER IS AT LEAST 60 YEARS OLD, OR HAS AT LEAST 25 YEARS OF CREDITABLE SERVICE, A SERVICE RETIREMENT ALLOWANCE IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION; OR

2. IF THE MEMBER IS LESS THAN 60 YEARS OLD AND HAS LESS THAN 25 YEARS OF CREDITABLE SERVICE, AN ORDINARY DISABILITY RETIREMENT ALLOWANCE THAT SHALL BE COMPUTED AS ONE-FIFTIETH OF THE MEMBER'S AVERAGE FINAL COMPENSATION FOR EACH YEAR OF CREDITABLE SERVICE, BUT NOT LESS THAN 25 PERCENT OF THE MEMBER'S AVERAGE FINAL COMPENSATION.

(3) (I) ON THE APPLICATION OF A MEMBER OR OF THE HEAD OF THE MEMBER'S DEPARTMENT, ANY MEMBER WHO HAS BEEN TOTALLY AND PERMANENTLY INCAPACITATED FOR DUTY AS THE NATURAL AND PROXIMATE RESULT OF AN ACCIDENT THAT OCCURS WHILE IN THE ACTUAL PERFORMANCE OF DUTY AT SOME DEFINITE TIME AND PLACE, WITHOUT WILLFUL NEGLIGENCE ON THE MEMBER'S PART, SHALL BE RETIRED BY THE BOARD OF