

(b) (1) Eligible employees initially appointed on or after [the effective date of the establishment of an optional retirement program] OCTOBER 1, 1993 shall elect:

(i) To join the [Employees' Retirement System or the Teachers' Retirement System of the State of Maryland or on or after January 1, 1980,] the Pension System for Employees of the State of Maryland or the Pension System for Teachers of the State of Maryland in accordance with the provisions of law applicable [thereto] TO THOSE SYSTEMS; or

(ii) To participate in the optional retirement program established [pursuant to this section] UNDER THIS SUBTITLE.

(2) An election made under this subsection shall be in writing and filed with the [respective system] ~~THE~~ BOARD OF TRUSTEES and with the employing institution.

(c) (1) Eligible employees initially appointed [prior to the effective date of the establishment of an optional retirement program] BEFORE OCTOBER 1, 1993 may elect to participate in the optional retirement program. The election shall be in writing and filed with the [Employees' Retirement System, the Pension System for Employees of the State of Maryland, the Teachers' Retirement System or the Pension System for Teachers of the State of Maryland] ~~THE~~ BOARD OF TRUSTEES and with the employing institution at least 90 days before the effective date of the election. The election shall constitute a waiver of all rights and benefits provided by the respective system, except as otherwise provided in this [title] SUBTITLE.

(2) Eligible employees who have not elected to transfer to the Pension System for Employees of the State of Maryland or the Pension System for Teachers of the State of Maryland by July 1, 1981, may not so transfer and thereafter elect to participate in the optional retirement program.

(d) (1) This subsection applies to a State employee who becomes eligible to elect an optional retirement program by reasons of:

(i) The certification of the position held by the employee as professional staff under § 3-101(j), § 3-501, or § 3-502 of this article or § 11-104(d) or § 16-105 of the Education Article; or

(ii) The appointment, promotion, transfer, or reclassification of the employee to a position previously so certified.

(2) Any State employee described in paragraph (1) of this subsection may elect the optional retirement program established [pursuant to this section] UNDER THIS SUBTITLE.

(3) An election under this subsection shall be made in writing and filed with the [respective system] BOARD OF TRUSTEES and with the employing institution at least 90 days before the effective date of the election and shall constitute a waiver of all rights and benefits provided by the respective system, except as otherwise provided in this [title] SUBTITLE.