

In subsection (d)(2) of this section, the reference to the "normal working time for the position" is substituted for the former reference to the "period during which the person works" to reflect current practice since this determination should be made prospectively and would be difficult to administer if the determination were made retroactively, i.e., after the official has worked less than 130 days.

In subsection (d)(3) of this section, the reference to the "creditable service includ[ing] service rendered prior to the date of establishment of the retirement system" is deleted as obsolete.

Also in subsection (d)(3) of this section, the reference to the year "for" which service credit is requested is substituted for the former reference to the year "in" which service credit is requested to correct an apparent error since it is not reasonable to make the comparison of periods of service dependent on the year in which the service credit is requested.

- Defined terms: "Board of Trustees" § 20-101
 "Employees' Retirement System" § 20-101
 "Member" § 20-101
 "Member contribution" § 20-101
 "Participating governmental unit" § 20-101

22-303. SAME — TYPES OF SERVICE CREDIT.

ELIGIBILITY SERVICE FOR A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM CONSISTS OF SERVICE CREDIT:

- (1) FOR EMPLOYMENT AS A MEMBER;
- (2) TRANSFERRED FROM A RETIREMENT OR PENSION SYSTEM UNDER TITLE 37 OF THIS ARTICLE OR TITLE 31, SUBTITLE 1 OF THIS ARTICLE;
- (3) FOR MILITARY SERVICE, AS PROVIDED IN TITLE 38 OF THIS ARTICLE; AND
- (4) PURCHASED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, §§ 2-301(a)(1) and (2)(i), (iii), (iv), and (v) and 3-301(a)(1) and (2)(i), (iii), (iv), and (v), as they related to eligibility service.

The term "eligibility service" is substituted for "creditable service" to reflect that the service credit being described in this section is the service credit recognized to determine eligibility for a benefit.

For the Employees' Retirement System and the Teachers' Retirement System, the service credit recognized to determine eligibility for service (i.e., "eligibility service") is the same as the service credit recognized to compute a benefit (i.e., "creditable service") except for credit for unused sick leave or some part-time employment. See § 22-308 for a description of "creditable service".