

Defined terms: "Accumulated contributions" § 20-101

"Board of Trustees" § 20-101

"Former member" § 20-101

"Retirement" § 20-101

"Retirement allowance" § 20-101

22-404. SPECIAL EARLY RETIREMENT.

(A) "APPOINTED OFFICIAL" DEFINED.

IN THIS SECTION, "APPOINTED OFFICIAL" MEANS AN INDIVIDUAL APPOINTED TO A PUBLIC OFFICE OF THE STATE WHO MEETS THE LEGAL CRITERIA FOR AN APPOINTED OFFICIAL AS DETERMINED BY THE ATTORNEY GENERAL.

(B) IN GENERAL.

THE BOARD OF TRUSTEES SHALL PAY A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM WHO QUALIFIES UNDER SUBSECTION (C) OF THIS SECTION A PENSION EQUAL TO AN ORDINARY DISABILITY PENSION, REGARDLESS OF AGE, IF THE MEMBER:

(1) HAS AT LEAST 16 YEARS OF CREDITABLE SERVICE; AND

(2) ELECTS TO HAVE THE MEMBER'S ACCUMULATED CONTRIBUTIONS PAID AS AN ANNUITY OF EQUIVALENT ACTUARIAL VALUE INSTEAD OF WITHDRAWING THE ACCUMULATED CONTRIBUTIONS.

(C) ELIGIBILITY CRITERIA.

A MEMBER QUALIFIES FOR A PENSION UNDER SUBSECTION (B) OF THIS SECTION IF THE MEMBER:

(1) (I) IS AN ELECTED OR APPOINTED OFFICIAL OF THE STATE AT THE TIME OF APPLICATION FOR RETIREMENT; AND

(II) WAS INITIALLY AN ELECTED OR APPOINTED OFFICIAL OF THE STATE BEFORE JULY 22, 1981;

(2) (I) IS AN ELECTED OR APPOINTED OFFICIAL OF THE STATE WHEN SEPARATING FROM EMPLOYMENT;

(II) WAS INITIALLY AN ELECTED OR APPOINTED OFFICIAL OF THE STATE DURING THE PERIOD FROM JULY 22, 1981, THROUGH JUNE 30, 1982, BOTH INCLUSIVE; AND

(III) SEPARATED FROM EMPLOYMENT INVOLUNTARILY AS CERTIFIED BY THE SECRETARY OF PERSONNEL; OR

(3) (I) WAS PROMOTED TO AN UNCLASSIFIED POSITION ON OR BEFORE JUNE 30, 1982;

(II) HAS BEEN IN THE UNCLASSIFIED SERVICE OF THE STATE CONTINUOUSLY FROM JUNE 30, 1982, UNTIL SEPARATING FROM EMPLOYMENT; AND