

In subsection (a)(3) of this section, the reference to a "professional ... employee" is substituted for the former reference to a "librarian" to conform to subsections (a)(4) and (b)(3) of this section.

Former Art. 73B, § 5-101(f), which defined the term "public school", is deleted as unnecessary in light of subsection (a) of this section which describes the institutions that employ the individuals who are eligible for membership in the Teachers' Pension System.

As to former Art. 73B, § 5-101(j)(3), which gave the Board of Trustees authority to determine membership in cases of doubt, see § 23-210(a) of this subtitle.

Defined terms: "County" § 20-101

"Member" § 20-101

"State system" § 20-101

23-207. SAME — TRANSFER FROM TEACHERS' RETIREMENT SYSTEM.

A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM MAY TRANSFER MEMBERSHIP TO THE TEACHERS' PENSION SYSTEM AS OF THE FIRST DAY OF A MONTH IF THE MEMBER FILES WITH THE BOARD OF TRUSTEES AN EXECUTED WAIVER OF ALL BENEFITS TO WHICH THE MEMBER MAY BE ENTITLED UNDER THE TEACHERS' RETIREMENT SYSTEM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 5-201(b).

The former references to "January 1, 1980" and "that date" are deleted as obsolete.

Defined terms: "Board of Trustees" § 20-101

"Member" § 20-101

"Teachers' Pension System" § 20-101

"Teachers' Retirement System" § 20-101

23-208. SAME — AS A CONDITION OF EMPLOYMENT.

EXCEPT AS PROVIDED IN § 23-209 OF THIS SUBTITLE, AN INDIVIDUAL DESCRIBED IN § 23-206(A) OF THIS SUBTITLE WHO BECOMES EMPLOYED BY A PARTICIPATING EMPLOYER ON OR AFTER JANUARY 1, 1980, OR WHO TRANSFERS MEMBERSHIP FROM THE TEACHERS' RETIREMENT SYSTEM, IS A MEMBER OF THE TEACHERS' PENSION SYSTEM AS A CONDITION OF EMPLOYMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of former Art. 73B, § 5-201(a).

The phrase "[e]xcept as provided in § 23-209 of this subtitle" is added to clarify that for those whose membership is optional, membership is not a condition of employment.