

The references to "an individual described in § 23-206(a) of this subtitle" and "a participating employer" are added to reflect that "teacher" is no longer a defined term. The reference to "January 1, 1980" is substituted for the former phrase, "the date of establishment" of this pension system for clarity. Similarly, the reference to those who transfer "membership from the Teachers' Retirement System" is added to clarify that the transferees are also members as a condition of employment.

Defined terms: "Member" § 20-101
 "Participating employer" § 20-101
 "Teachers' Pension System" § 20-101
 "Teachers' Retirement System" § 20-101

23-209. SAME — DISCRETIONARY.

THE BOARD OF TRUSTEES MAY DENY MEMBERSHIP IN THE TEACHERS' PENSION SYSTEM TO, OR MAKE MEMBERSHIP OPTIONAL FOR, ANY CLASS OF INDIVIDUALS DESCRIBED IN § 23-206(A) OF THIS SUBTITLE WHOSE:

- (1) COMPENSATION IS PAID ONLY PARTLY BY THE STATE; OR
- (2) EMPLOYMENT IS TEMPORARY OR ON OTHER THAN A YEARLY BASIS.

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

The reference to "individuals described in § 23-206(a) of this subtitle" is substituted for the former reference to "teachers" because "teacher" is no longer a defined term.

Defined terms: "Board of Trustees" § 20-101
 "Teachers' Pension System" § 20-101

23-210. SAME — DETERMINATION BY BOARD OF TRUSTEES.

IF ELIGIBILITY OF AN INDIVIDUAL FOR MEMBERSHIP IN THE TEACHERS' PENSION SYSTEM IS UNCLEAR, THE BOARD OF TRUSTEES SHALL DETERMINE WHETHER THE INDIVIDUAL IS A MEMBER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 5-101(j)(3).

The phrase "[i]f eligibility of an individual for membership in the Teachers' Pension System is unclear" is substituted for "[i]n all cases of doubt" for clarity.

Defined terms: "Board of Trustees" § 20-101
 "Member" § 20-101
 "Teachers' Pension System" § 20-101