

REVISOR'S NOTE: Subsections (a), (b)(2) and (3), and (c) of this section are new language derived without substantive change from former Art. 73B, § 10-212(e).

Subsection (b)(1) of this section is new language added to state expressly that which formerly only was implied — i.e., if a former member returned to membership without a break in service, the former member is entitled to the eligibility service the former member had before the separation from employment.

In subsection (a) of this section, the former substantive provision describing a break in service is revised as a definition to clarify the use of the term in this section.

Also in subsection (a) of this section, the reference to "employment while a member" is substituted for the former reference to "service with the State" for accuracy and consistency. The employment considered under the Local Fire and Police System is employment with a participating governmental unit.

In subsection (b) of this section, the references to a "former member" are substituted for the former references to a "member" for accuracy because membership terminates on separation from employment.

In the introductory language to subsection (b) of this section, the former reference to a member "who incurs a break in service" is deleted as unnecessary and inconsistent with subsection (b)(1) of this section.

In subsection (c) of this section, the reference to the "Board of Trustees" is added to clarify who makes the determination of eligibility for prior eligibility service.

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

"Eligibility service" § 20-101

"Former member" § 20-101

"Member" § 20-101

"Vested allowance" § 20-101

28-304. SAME — TRANSFERRED SERVICE CREDIT.

A MEMBER IS ENTITLED TO ELIGIBILITY SERVICE THAT EQUALS:

(1) THE MEMBER'S SERVICE CREDIT TRANSFERRED FROM A RETIREMENT OR PENSION SYSTEM UNDER TITLE 37 OF THIS ARTICLE; AND

(2) THE MEMBER'S SERVICE CREDIT TRANSFERRED FROM A RETIREMENT OR PENSION SYSTEM UNDER § 31-204 OF THIS ARTICLE.

REVISOR'S NOTE: Item (1) of this section is new language derived without substantive change from former Art. 73B, § 10-212(b).

Item (2) of this section is new language added for clarity.