

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 73B, §§ 2-404(i), 3-404(i), 4-404(a)(4), (b)(3), and (d), 5-404(a)(4), (b)(3), and (d), 7-404(i), 8-402(e), and 10-218(c)(4) and (e).

In subsection (b) of this section, the reference to "the purpose of submitting an application for disability" is substituted for the former references to "the purposes of this subsection" for clarity.

Also in subsection (b) of this section, the reference to "the Teachers' Pension System" is substituted for the former, erroneous reference to the "Pension System for Employees" in former Art. 73B, § 5-404(b)(3).

In subsections (c)(2) and (d)(2) of this section, these references to "submit[ing] an application" are substituted for the former references to "mak[ing] application" and "fil[ing]", for consistency.

In subsection (c)(3) of this section, the reference to "the Board of Trustees" is added to clarify who receives the application and grants the disability retirement allowance.

The State Personnel and Pensions Article Review Committee notes, for consideration by the General Assembly, that in all State systems other than the Natural Resources Pension System and the Local Fire and Police System, membership continues for the purpose of filing disability applications for at least 2 years after paid employment ends.

The State Personnel and Pensions Article Review Committee notes, for consideration by the General Assembly, that for all State systems to which this subtitle applies except for the State Police Retirement System, there is a 5-year limitation on the acceptance of an application for accidental disability.

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

"Correctional Officers' Retirement System" § 20-101

"Employees' Pension System" § 20-101

"Employees' Retirement System" § 20-101

"Former member" § 20-101

"Local Fire and Police System" § 20-101

"Medical board" § 20-101

"Member" § 20-101

"Natural Resources Pension System" § 20-101

"Retirement" § 20-101

"Retirement allowance" § 20-101

"State Police Retirement System" § 20-101

"Teachers' Pension System" § 20-101

#### 29-105. ORDINARY DISABILITY RETIREMENT — ELIGIBILITY.

THE BOARD OF TRUSTEES SHALL GRANT AN ORDINARY DISABILITY RETIREMENT ALLOWANCE TO A MEMBER IF:

- (1) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE; AND