

(B) PENSION SYSTEMS.

(1) THIS SUBSECTION APPLIES TO:

- (I) THE EMPLOYEES' PENSION SYSTEM;
- (II) THE LOCAL FIRE AND POLICE SYSTEM;
- (III) THE NATURAL RESOURCES PENSION SYSTEM; AND
- (IV) THE TEACHERS' PENSION SYSTEM.

(2) A MEMBER MAY RECEIVE A DISABILITY RETIREMENT ALLOWANCE FOR A DISABILITY INCURRED BEFORE ENROLLMENT ONLY TO THE EXTENT THAT THE DISABILITY WAS AGGRAVATED AFTER ENROLLMENT.

(3) FOR THE PURPOSE OF THIS SUBSECTION, A MEMBER KEEPS THE ENROLLMENT DATE SET IN THE STATE SYSTEM FROM WHICH THE MEMBER TRANSFERRED, IF THE MEMBER TRANSFERRED:

(I) FROM THE EMPLOYEES' RETIREMENT SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM; OR

(II) FROM THE EMPLOYEES' RETIREMENT SYSTEM OR THE EMPLOYEES' PENSION SYSTEM TO THE LOCAL FIRE AND POLICE SYSTEM OR THE NATURAL RESOURCES PENSION SYSTEM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, §§ 2-404(c), 3-404(c), 4-404(a)(2) and (b)(2), 5-404(a)(2) and (b)(2), 6-403(c), 7-404(c), 8-402(a)(2) and (b)(3), and 10-218(a)(2) and (c)(3).

The State Personnel and Pensions Article Review Committee notes, for consideration by the General Assembly, that retirement systems and pension systems differ in their conditions governing when a member may receive a disability allowance for a disability that occurred before enrollment. In former Art. 73B, §§ 2-404(c), 3-404(c), 6-403(c), and 7-404(c) (now subsection (a) of this section), a member of a retirement system may receive the allowance only to the extent that the disability was aggravated in the actual performance of duty. By contrast, in former Art. 73B, §§ 4-404(b)(2), 5-404(a)(2) and (b)(2), 8-402(a)(2), and 10-218(c)(3) (now subsection (b) of this section), a member of a pension system may receive the allowance only to the extent that the disability was aggravated after enrollment.

Defined terms: "Correctional Officers' Retirement System" § 20-101

"Employees' Pension System" § 20-101

"Employees' Retirement System" § 20-101

"Local Fire and Police System" § 20-101

"Member" § 20-101

"Natural Resources Pension System" § 20-101

"Retirement allowance" § 20-101