

In subsection (c) of this section, the reference to “§ 30-307 of this subtitle” is added for specificity because § 30-307 provides the only exception in this title to the waiver of rights by participating employees.

Also in subsection (c) of this section, the reference to the “retirement system or pension system in which the participating employee was a member on the effective date of the election” is substituted for the former reference to the “respective system” for clarity.

Defined terms: “Board of Trustees” § 20-101

“Eligible employee” § 30-101

“Employing institution” § 30-101

“Member” § 20-101

“Participating employee” § 30-101

“Pension system” § 30-101

“Program” § 30-101

“Retirement system” § 30-101

30-305. SAME — CHANGE IN EMPLOYEE STATUS.

(A) SCOPE.

THIS SECTION APPLIES ONLY TO A STATE EMPLOYEE WHO BECOMES ELIGIBLE TO ELECT PARTICIPATION IN THE PROGRAM IF THE EMPLOYEE IS APPOINTED, PROMOTED, TRANSFERRED, OR RECLASSIFIED TO A PROFESSIONAL STAFF POSITION.

(B) OPTION.

A STATE EMPLOYEE DESCRIBED IN SUBSECTION (A) OF THIS SECTION MAY ELECT TO PARTICIPATE IN THE PROGRAM.

(C) FORM.

AN ELIGIBLE EMPLOYEE SHALL:

(1) MAKE AN ELECTION UNDER THIS SECTION IN WRITING; AND

(2) FILE THE ELECTION WITH THE BOARD OF TRUSTEES AND THE EMPLOYING INSTITUTION AT LEAST 90 DAYS BEFORE THE EFFECTIVE DATE OF THE ELECTION.

(D) EFFECT OF ELECTION.

EXCEPT AS OTHERWISE PROVIDED IN § 30-307 OF THIS SUBTITLE, AN ELECTION IS A WAIVER OF ALL RIGHTS AND BENEFITS PROVIDED BY THE RETIREMENT SYSTEM OR PENSION SYSTEM IN WHICH THE PARTICIPATING EMPLOYEE WAS A MEMBER ON THE EFFECTIVE DATE OF THE ELECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 11-105(d).