

(II) ANY OTHER GOVERNMENTAL ENTITY IN THIS STATE, INCLUDING A COUNTY BOARD OF EDUCATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73C, § 3(a).

In item (2) of this section, the reference to an "officer" is added for consistency.

In item (2)(ii) of this section, the reference to a "county" board of education is substituted for the former reference to a "local" board to conform to the terminology used in the Education Article. See ED § 1-101.

Also in item (2)(ii) of this section, the former reference to "municipality" is deleted as included in the reference to a "governmental entity".

35-403. CONTRIBUTIONS.

SUBJECT TO THE CONDITIONS THAT THE BOARD MAY SET AND IN ACCORDANCE WITH A CONTRACT BETWEEN THE PARTICIPANT AND THE EMPLOYER, A PARTICIPANT MAY HAVE CONTRIBUTIONS MADE TO THE TAX SHELTERED ANNUITY PLAN ON THE PARTICIPANT'S BEHALF BY A SALARY REDUCTION OR IN PLACE OF A SALARY INCREASE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73C, § 3(c).

Defined term: "Board" § 35-101

35-404. EFFECT ON OTHER PLANS.

THIS SECTION DOES NOT PROHIBIT A COUNTY BOARD OF EDUCATION FROM ADOPTING A PLAN FOR ITS EMPLOYEES THAT QUALIFIES UNDER § 403(B) OF THE INTERNAL REVENUE CODE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73C, § 3(d).

The reference to a "county" board of education is substituted for the former reference to a "local" board to conform to the terminology used in the Education Article. See ED § 1-101.

GENERAL REVISOR'S NOTE:

Former Art. 73C, § 3(b)(2), which provided for a rollover of contributions under the tax sheltered annuity plan, is deleted as obsolete and potentially misleading because each supplemental retirement plan has a "rollover" provision under intervening federal law.

SUBTITLE 5. SALARY REDUCTION SAVINGS PLAN.

35-501. SALARY REDUCTION SAVINGS PLAN GENERALLY.

(A) IN GENERAL.