

Defined terms: "Member" § 37-101

"State system" § 37-101

"State or local retirement or pension system" § 37-101

37-202. WHEN TRANSFER ALLOWED.

(A) IN GENERAL.

A MEMBER OF A STATE OR LOCAL RETIREMENT OR PENSION SYSTEM MAY TRANSFER SERVICE CREDIT ATTAINED AS A RESULT OF THAT MEMBERSHIP TO ANOTHER STATE OR LOCAL RETIREMENT OR PENSION SYSTEM IF THE MEMBER, WITHOUT INCURRING A BREAK IN EMPLOYMENT, ACCEPTS EMPLOYMENT OR AN OFFICE THAT:

(1) REQUIRES OR ALLOWS THE MEMBER TO PARTICIPATE IN THE NEW SYSTEM; AND

(2) DOES NOT ALLOW THE MEMBER TO CONTINUE TO ACCRUE BENEFITS IN THE PREVIOUS SYSTEM.

(B) BY FORMER MEMBERS; ELECTED AND APPOINTED OFFICIALS.

A FORMER MEMBER OF A STATE OR LOCAL RETIREMENT OR PENSION SYSTEM MAY TRANSFER SERVICE CREDIT ATTAINED AS A RESULT OF THE FORMER MEMBERSHIP TO ANOTHER STATE OR LOCAL RETIREMENT OR PENSION SYSTEM IF:

(1) THE FORMER MEMBER SERVED AS AN ELECTED OR APPOINTED OFFICIAL WHILE A MEMBER OF THE PREVIOUS SYSTEM;

(2) THE FORMER MEMBER IS SERVING AS AN ELECTED OR APPOINTED OFFICIAL OF THE STATE WHEN THE FORMER MEMBER REQUESTS THE TRANSFER OF SERVICE CREDIT;

(3) A BREAK IN EMPLOYMENT OCCURRED THAT PREVENTS THE FORMER MEMBER FROM TRANSFERRING SERVICE CREDIT UNDER SUBSECTION (A) OF THIS SECTION; AND

(4) THE FORMER MEMBER'S CURRENT OFFICE:

(I) REQUIRES OR ALLOWS THE MEMBER TO PARTICIPATE IN THE NEW SYSTEM; AND

(II) DOES NOT ALLOW THE MEMBER TO CONTINUE TO ACCRUE BENEFITS IN THE PREVIOUS SYSTEM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, §§ 1-401(a) and 1-402(a).