

(c) (1) If a retiree receives a State disability retirement allowance or has 16 or more years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to the same State subsidy allowed a State employee.

(2) In all other cases, if a retiree has at least 5 years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to 1/16 of the State subsidy allowed a State employee for each year of the retiree's creditable service up to 16 years.

(3) NOTWITHSTANDING § 8-108(A)(4)(I) AND § 8-108(C)(2), IF A RETIREE IS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION, FOR THE PURPOSES OF DETERMINING A RETIREE'S STATE SUBSIDY, CREDITABLE SERVICE SHALL BE DETERMINED WITH RESPECT TO SERVICE AS AN ADDITIONAL EMPLOYEE OR AGENT BEGINNING FROM THE INITIAL DATE OF EMPLOYMENT OR JANUARY 1, 1986, WHICHEVER IS LATER.

23-201.

(a) Except as provided in subsection (b) of this section, §§ 23-202 through 23-205 of this subtitle apply only to:

(5) an additional employee or agent of the State Racing Commission authorized by § 11-207 of the Business Regulation Article [, subject to a determination of eligibility by the Board of Trustees under § 23-205 of this subtitle];

23-205.

[(a)] If eligibility of an individual for membership in the Employees' Pension System is unclear, the Board of Trustees shall determine whether the individual is a member without regard to the method of payment of the individual's compensation.

[(b) The Board of Trustees shall determine the eligibility for membership of an additional employee or agent of the State Racing Commission whose salary payments from the State are subject to reimbursement by licensees of the State Racing Commission under the Maryland Horse Racing Act.]

23-306.1.

~~(A) A MEMBER OF THE EMPLOYEES' PENSION SYSTEM WHO IS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION AUTHORIZED BY § 11-207 OF THE BUSINESS REGULATION ARTICLE IS ENTITLED TO ELIGIBILITY SERVICE FOR ANY PRIOR SERVICE AS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION.~~

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A MEMBER OF THE EMPLOYEES' PENSION SYSTEM WHO IS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION AUTHORIZED BY § 11-207 OF THE BUSINESS REGULATION ARTICLE IS ENTITLED TO ELIGIBILITY SERVICE FOR ANY SERVICE ON OR AFTER JANUARY 1, 1986 AS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION.