

(1) A Except as provided under paragraphs (2) and (3) of this section, a member of the Employees' Retirement System or the Employees' Pension System may retire if the member:

- (i) Submits a written application to the Board of Trustees from July 2 1, 1996 through August 31, 1996, both inclusive;
- (ii) Is an employee of the State on June 1, 1996;
- (iii) Is a member of the respective system on ~~April 1, 1996~~ January 1, 1996; and
- (iv) On or before ~~August 31, 1996~~ June 30, 1997:
  - 1. ~~Has at least 30 years of creditable service; or~~
  - 2. ~~A. Has at least 25 years of creditable service; and~~
  - 2. ~~B. Is at least 50 years old; or~~
  - 3. ~~Is otherwise eligible to retire under § 22-401, § 22-402, § 23-401, or § 23-402 of the State Personnel and Pensions Article;~~

(2) A member of the Employees' Retirement System or the Employees' Pension System who was an employee of the State on January 1, 1996 and is separated from employment as a result of the elimination of the employee's position in the State budget or by budget amendment after December 31, 1995 and before July 1, 1997, may retire if the member:

- (i) Submits a written application to the Board of Trustees:
  - 1. ~~From July June 1, 1996 through August 31, 1996, both inclusive, if the member's position is eliminated in the State budget or by budget amendment before August 1, 1996; or~~
  - 2. ~~Not later than 30 days after the member is separated from employment and before July 1, 1997, if the member's position is eliminated in the State budget or by budget amendment after July 31, 1996 and before July 1, 1997;~~
- (ii) Is a member of the respective system on January 1, 1996; and
- (iii) On or before June 30, 1997:
  - 1. ~~Has at least 30 years of creditable service; or~~
  - 2. ~~A. Has at least 20 years of creditable service; and~~
  - 2. ~~B. Is at least 45 years old, has at least 20 years of creditable service,~~

(3) This section does not apply to members who are employees of:

- (i) The Judicial Branch of government;