

employee discontinues the benefit unless the employee again becomes employed by an entity that provides its employees with State employee benefits subject to a break in service or employment limitations. Under this section, an employee benefit does not include membership in an employee retirement system and an employee may elect to retain State employee benefits only if the employee was an employee of the Montgomery County Department of Social Services on July 1, 1996.

(c) An employee transferred under this Act shall be entitled to reinstatement to State service on or before October 1, 2001. Accumulated sick leave shall be credited to an employee reinstated within that period.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) ~~An~~ Except as provided in subsection (c) of this section, an employee transferred under this Act may continue as a member of the State Employees' Retirement System or the State Pension System for Employees as long as the employee remains employed by Montgomery County provided that the employee was an employee of the Montgomery County Department of Social Services on July 1, 1996. Montgomery County shall pay to the Board of Trustees of the State Retirement and Pensions System the normal contribution rate of the State, the accrued liability contribution rate of the State, and the employer contribution otherwise required to be made by the State on behalf of the member. The Board of Trustees shall certify to Montgomery County the amount payable under this section. The Board of Trustees may certify the amount on an annual basis or as payrolls are paid. Montgomery County shall pay the amount certified by the Board of Trustees within 45 days. On notification by the Secretary of the Board of Trustees that a delinquency exists, the State Comptroller immediately shall exercise the right of set off against any money due or coming due to Montgomery County plus interest and penalty equal to the amount established under § 21-310(b)(3) of the State Personnel and Pensions Article.

(b) (1) ~~An~~ Except as provided in subsection (c) of this section, an employee transferred under this Act may elect to become a member of the Montgomery County Retirement Savings Plan or its successor if the election is made by April 1, 1997. In that event, the employee shall be treated for retirement purposes as a new Montgomery County employee hired at the time of election, the employee may not be entitled to claim a transfer of service credit under § 37-203 of the State Personnel and Pensions Article, and the employee shall be treated for retirement purposes as having separated from State employment under §§ 22-216 and 23-214 of the State Personnel and Pensions Article. An employee may not be reinstated as a member of the State retirement system unless the employee again becomes employed by an entity that provides its employees with State retirement benefits subject to any applicable limitations in Titles 22 and 23 of the State Personnel and Pensions Article.

(2) If an employee who has at least 3 years of eligibility service elects to become a member of the Montgomery County Retirement Savings Plan:

(i) The State Retirement Agency shall:

1. Within 45 days of the effective date of the employee's election, transfer to the Montgomery County Retirement Savings Plan on behalf of the employee: