

(e) Each employee transferred under this Act who becomes a member of the Montgomery County Retirement Savings Plan shall receive credit for creditable service with the State for the purpose of determining vesting and eligibility for other county benefits that are based on length of service.

(f) For employees transferred under this Act who are vested in, or who elect to continue in, the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland:

(1) The employees shall be eligible, upon retirement or receipt of a vested allowance, to receive the health and other benefits as provided under Title 8, Subtitle 1 of the State Personnel and Pensions Article;

(2) Service with Montgomery County shall be considered State service and creditable service for purposes of determining eligibility for benefits under § 8-108 of the State Personnel and Pensions Article;

(3) A surviving spouse of each of these employees is eligible to enroll and participate in the State Employee and Retiree Health and Welfare Benefits Program to the extent allowed under § 8-107(b) of the State Personnel and Pensions Article; and

(4) The employees may also elect to receive retiree health benefits from Montgomery County to the extent permitted under Montgomery County law or regulation.

(g) Employees transferred under this Act who elect to participate in the Montgomery County Retirement Savings Plan or its successor shall be eligible, upon retirement, to receive the health and other benefits for which similarly situated Montgomery County retirees are eligible.

(h) Nothing in this Act shall be construed to affect the health or retirement benefits of currently retired employees.

SECTION 4. AND BE IT FURTHER ENACTED, That the State shall provide a legal defense for itself and the employees transferred under this Act for any and all claims or causes of action that first accrued before the effective date of this Act to the same extent the State was obligated to provide a legal defense prior to the enactment of this Act. The State shall be liable for all such claims or causes of action including those described in the Maryland Tort Claims Act and the Workers' Compensation Act, that first accrued before the effective date of this Act and to the same extent the State was liable prior to the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 14, 1996.