

ARTICLE, AN EMPLOYEE OF THE PARTICIPATING GOVERNMENTAL UNIT WHO IS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM SHALL BE ENTITLED TO THE BENEFITS AS PROVIDED IN § 23-218 OF THIS ARTICLE, EFFECTIVE ON THE LATER OF JULY 1, 1998, OR THE DATE THE EMPLOYEE BECAME A MEMBER OF THE EMPLOYEES' PENSION SYSTEM, UNLESS THE EMPLOYEE TRANSFERRED TO THE EMPLOYEES' PENSION SYSTEM AFTER APRIL 1, 1998.

(2) IF AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT TRANSFERRED TO THE EMPLOYEES' PENSION SYSTEM AFTER APRIL 1, 1998, THE EMPLOYEE IS NOT SUBJECT TO TITLE 23, SUBTITLE 2, PART II OF THIS ARTICLE AND IS NOT ENTITLED TO THE BENEFITS AS PROVIDED IN § 23-218 OF THIS ARTICLE.

(C). AN ELECTION BY A PARTICIPATING GOVERNMENTAL UNIT UNDER THIS SECTION IS IRREVOCABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article - State Personnel and Pensions**

32-101.

(b) "Eligible employee" means a member of the Employees' Pension System OR THE EMPLOYEES' RETIREMENT SYSTEM WHO IS SUBJECT TO SELECTION C (COMBINATION FORMULA) AS PROVIDED IN § 22-221 OF THIS ARTICLE, other than:

(1) an employee of a participating governmental unit or a former participating governmental unit that has withdrawn; or

(2) a member of the Employees' Pension System who transferred from the Employees' Retirement System after April 1, 1998.

SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1999. ~~§~~ Section 1 of this Act shall be construed retroactively and shall be applied to and interpreted to affect the participants of the Employees' Pension System, Teachers' Pension System, Employees' Retirement System, and Teachers' Retirement System who are affected by this Act beginning July 1, 1998.

Approved April 27, 1999.

**CHAPTER 177**

**(Senate Bill 380)**

AN ACT concerning

**Local Government Tort Claims - Indemnification of Law Enforcement Officers**

FOR the purpose of restricting allowing a local government from indemnifying to indemnify certain law enforcement officers from for a certain judgment if unless