

Article — State Personnel and Pensions~~38-104.~~

~~(a) Except as provided in subsection (b) of this section, a member of a State system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this subtitle, is entitled to receive service credit for military service only on the attainment of 10 years of creditable service.~~

~~(b) (1) A member of a State system may not receive credit for that military service if the member receives credit for military service from another retirement system for which retirement benefits have been or will be received by the member.~~

~~(2) Paragraph (1) of this subsection does not apply to:~~

~~(i) credit for military service provided under:~~

~~1. the Social Security Act;~~

~~2. the National Railroad Retirement Act; or~~

~~3. Title 3 or Title 10, Chapter 67, §§ 1331 through 1337 of the United States Code; [or]~~

~~(ii) disability payments from a pension or retirement system; OR~~

~~(iii) A MEMBER, FORMER MEMBER, OR RETIREE OF THE STATE POLICE RETIREMENT SYSTEM WHO WAS HIRED BY THE DEPARTMENT OF STATE POLICE AS AN AVIATOR TO OPERATE A HELICOPTER FOR THE STATE EMERGENCY MEDICAL SYSTEM.~~

~~(3) Military service credit under this section may not exceed 5 years § 38-104(b)(1) of the State Personnel and Pensions Article does not apply to a member, former member, or retiree of the State Police Retirement System who was hired by the Department of State Police as an aviator to operate a helicopter for the State emergency medical system.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed retroactively and shall be applied to and interpreted to affect individuals hired by the Department of State Police on or after July 1, 1987.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2000. It shall remain effective for a period of 1 month and, at the end of July 31, 2000, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved May 11, 2000.