

- (vii) an out-of-state political subdivision; or
- (viii) a public school as a teacher.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT OR A FORMER PARTICIPATING GOVERNMENTAL UNIT THAT HAS WITHDRAWN.

(2) ~~IN THE YEAR OF RETIREMENT, A STATE EMPLOYEE MEMBER OF THE EMPLOYEES' PENSION SYSTEM MAY PURCHASE CREDIT FOR ELIGIBILITY SERVICE OF UP TO 10 YEARS FOR PERIODS OF EMPLOYMENT WITH THE STATE FOR WHICH THE MEMBER IS NOT OTHERWISE ENTITLED TO SERVICE CREDIT IN A STATE SYSTEM.~~

(3) A MEMBER WHO PURCHASES SERVICE CREDIT UNDER THIS SUBSECTION, MAY NOT PURCHASE:

(I) MORE THAN A TOTAL OF 10 YEARS OF SERVICE CREDIT IN THE EMPLOYEES' PENSION SYSTEM; OR

(II) SERVICE CREDIT FOR ANY PERIOD OF EMPLOYMENT DURING WHICH THE MEMBER PARTICIPATED IN THE OPTIONAL RETIREMENT PROGRAM.

(4) TO PURCHASE SERVICE CREDIT UNDER THIS SUBSECTION, A MEMBER MUST:

(I) COMPLETE A CLAIM FOR THE SERVICE CREDIT AND FILE IT WITH THE BOARD OF TRUSTEES ON THE FORM THAT THE BOARD OF TRUSTEES PROVIDES; AND

(II) PAY TO THE BOARD OF TRUSTEES AN AMOUNT EQUAL TO ONE-HALF OF THE ANNUITY RESERVE AND ONE-HALF OF THE PENSION RESERVE REQUIRED TO FUND THE ADDITIONAL ALLOWANCE.

(5) A MEMBER MAY PAY THE AMOUNT REQUIRED BY PARAGRAPH (4) OF THIS SUBSECTION ON AN INSTALLMENT BASIS BY CONTRIBUTING AT LEAST 2% OF EARNABLE COMPENSATION PER YEAR WITH THE APPROPRIATE FINAL ADJUSTMENTS BEING MADE IN THE YEAR THE MEMBER RETIRES.

[(b)](C) (1) A member of the Employees' Pension System may purchase credit for eligibility service for previous service in a position described in § 23-204(a) of this title.

(2) To purchase the service credit, the member must pay in a single payment, the contributions, with interest, that the Board of Trustees considers appropriate.

[(c)](D) (1) A member of the Employees' Pension System who is employed by a member of the State Senate or House of Delegates for at least 130 days per year as a legislative employee before becoming a member is considered to have been a permanent part-time legislative employee.