

[(1)](I) is subject to the contributory pension benefit under Title 23, Subtitle 2, Part II of this article; or

[(2)](II) transferred from the Employees' Retirement System or the Teachers' Retirement System to the Employees' Pension System or the Teachers' Pension System after April 1, 1998; AND

(2) ON OR AFTER DECEMBER 31, 2000, TO AN ALLOWANCE RECEIVED BY A FORMER MEMBER, RETIREE, OR SURVIVING BENEFICIARY OF A DECEASED MEMBER, FORMER MEMBER, OR RETIREE OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

(b) This Part VI of this subtitle does not apply if:

(1) the member, former member, or retiree was an employee of:

[(1)](I) a participating governmental unit that has not elected the contributory pension benefit of its employees under § 31-116 of this article; or

[(2)](II) a former participating governmental unit that has withdrawn while a member; OR

(2) THE MEMBER, FORMER MEMBER, OR RETIREE:

(I) TRANSFERRED TO THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM; AND

(II) DID NOT ELECT TO PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT ON OR BEFORE DECEMBER 31, 2000 AS PROVIDED IN § 26-211 OF THIS ARTICLE.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - State Personnel and Pensions

26-401.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DROP" MEANS THE DEFERRED RETIREMENT OPTION PROGRAM ESTABLISHED UNDER THIS SECTION.

(3) "DROP MEMBER" MEANS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO:

(I) IS ELIGIBLE TO PARTICIPATE IN THE DROP AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

(II) ELECTS TO PARTICIPATE IN THE DROP AS PROVIDED IN SUBSECTION (E) OF THIS SECTION.

(B) THERE IS A DROP FOR ELIGIBLE MEMBERS OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.