

(2) (I) [When] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, WHEN the former member is eligible to begin receiving a vested allowance, the former member shall receive a pension only.

(II) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM WHO IS SUBJECT TO THE CONTRIBUTORY PENSION BENEFIT UNDER TITLE 23, SUBTITLE 2, PART II OF THIS ARTICLE, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP UNLESS THE FORMER MEMBER PURCHASES THE SERVICE CREDIT UNDER § 23-306.2 OF THIS ARTICLE.

29-425.

(a) This Part VI of this subtitle applies on or after July 1, 1998 only to an allowance received by a former member, retiree, or surviving beneficiary of a deceased member, former member, or retiree of the Employees' Pension System or the Teachers' Pension System [who:

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

(2) 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].

(b) This Part VI of this subtitle does not apply if the member, former member, or retiree was an employee of:

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

(2) a former participating governmental unit that has withdrawn BEFORE JULY 1, 1998, while a member.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2000.

Approved May 11, 2000.

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## CHAPTER 397

(House Bill 605)

AN ACT concerning

**Law Enforcement Officers' Pension System - Police Officers and Fire Rescue Employees - Membership**

FOR the purpose of providing certain fire rescue personnel of the Maryland Aviation Administration and certain police officers of the Department of Health and