

pension systems to receive service credit for military service as a member of the Maryland National Guard; and providing for a certain limit to the military service credit.

BY repealing and reenacting, with amendments,  
 Article - State Personnel and Pensions  
 Section 38-101(d), ~~38-103(d)~~, and 38-104  
 Annotated Code of Maryland  
 (1997 Replacement Volume and 1999 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - State Personnel and Pensions**

38-101.

(d) "Military service" means:

(1) induction into the armed forces of the United States for training and service under the Selective Training and Service Act of 1940 or a subsequent act of a similar nature;

(2) membership in a reserve component of the armed forces of the United States on active duty or ordered or assigned to active duty;

(3) enlistment into the armed forces of the United States; [or]

(4) MEMBERSHIP IN THE MARYLAND NATIONAL GUARD; OR

[(4)] (5) with respect to a person separated from employment on or after July 1, 1991, active duty with the commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey from:

(i) December 7, 1941, to December 31, 1946, both inclusive;

(ii) June 25, 1950, to January 31, 1955, both inclusive; or

(iii) December 22, 1961, to May 7, 1975, both inclusive.

~~38-103.~~

~~(d) (1) Subject to paragraph (2) of this subsection, a member of a State or local retirement or pension system shall receive service credit for a period of absence from employment while in military service if:~~

~~(i) the employment of the member under subsection (a)(2) of this section is active or the employee is reinstated as a regular employee on a leave of absence; and~~

~~(ii) membership in a State or local retirement or pension system is a requirement of employment.~~