

(v) a supervisor; or

(vi) a teacher;

(2) a faculty employee of an educational institution supported by and under the control of the State;

(3) a librarian or clerical employee of a library that is established or operates under the Education Article;

(4) a professional or clerical employee of a community college that is established or operates under the Education Article;

(5) a staff employee of the University System of Maryland, Morgan State University, or St. Mary's College who is a member of the Teachers' Pension System as of January 1, 1998, or who transfers from the Teachers' Retirement System on or after January 1, 1998; or

(6) a nonfaculty employee of the Baltimore City Community College who:

(i) is a member of the Teachers' Pension System as of October 1, 2002 and does not transfer to the Employees' Pension System in accordance with § 23-202.1 of this subtitle; or

(ii) transfers from the Teachers' Retirement System on or after October 1, 2002.

[23-207.

A member of the Teachers' Retirement System may transfer membership to the Teachers' Pension System as of the first day of a month if the member files with the Board of Trustees an executed waiver of all benefits to which the member may be entitled under the Teachers' Retirement System.]

23-405.

(a) When a member of the Employees' Retirement System or the Teachers' Retirement System transfers ON OR BEFORE DECEMBER 31, 2004, to the Employees' Pension System or the Teachers' Pension System, the Board of Trustees shall allocate any amounts transferred from the Annuity Savings Fund as provided in [§ 22-212 of this article] SUBSECTIONS (B) AND (C) OF THIS SECTION.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO A MEMBER'S EMPLOYER PICKUP CONTRIBUTIONS.

(2) A MEMBER WHO TRANSFERS TO A PENSION SYSTEM UNDER SUBSECTION (A) OF THIS SECTION IS ELIGIBLE TO RECEIVE WITHIN 90 DAYS AFTER THE DATE OF TRANSFER A REFUND OF THE MEMBER CONTRIBUTIONS DESCRIBED IN PARAGRAPH (3) OF THIS SUBSECTION, PLUS INTEREST COMPUTED AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, UNLESS THE MEMBER ELECTS TO HAVE ANY PART OF THE MEMBER CONTRIBUTIONS DESCRIBED IN PARAGRAPH (3) OF THIS