

(2) This section does not apply to:

(i) a retiree of the Employees' Pension System or the Teachers' Pension System; or

(ii) a member of the Employees' Pension System or Teachers' Pension System who is subject to the contributory pension benefit [under Subtitle 2, Part II of this title] **OR THE ALTERNATE CONTRIBUTORY PENSION SELECTION.**

23-303.1.

(a) This section applies [only] to a member of the Employees' Pension System or Teachers' Pension System who [is subject to the contributory pension benefit under Subtitle 2, Part II of this title] **HAS PRIOR SERVICE IN A PART OF THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM THAT IS SUBJECT TO A DIFFERENT RATE OF MEMBER CONTRIBUTIONS AND BENEFIT ACCRUAL.**

(b) A member **WHO IS SUBJECT TO THE CONTRIBUTORY PENSION BENEFIT OR ALTERNATE CONTRIBUTORY PENSION SELECTION** is entitled to **COMBINE** the MEMBER'S PRIOR eligibility service [to which the member was entitled before the separation from employment] **WITH THE MEMBER'S CURRENT SERVICE** if the member:

(1) at the time of separation from employment, was entitled to a vested allowance from:

(i) the Employees' Pension System; or

(ii) the Teachers' Pension System;

(2) did not transfer to the Employees' Pension System or the Teachers' Pension System from the Employees' Retirement System or Teachers' Retirement System after April 1, 1998; and

(3) has completed 1 year of employment as a member who is subject to the contributory pension benefit under Subtitle 2, Part II of this title.

(C) A MEMBER WHO IS SUBJECT TO THE NONCONTRIBUTORY PENSION BENEFIT IS ENTITLED TO COMBINE THE MEMBER'S PRIOR ELIGIBILITY SERVICE WITH THE MEMBER'S CURRENT SERVICE IF THE MEMBER DID NOT TRANSFER TO THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM FROM