

(3) EXCEPT AS PROVIDED IN § 3-403.1 OF THIS TITLE, THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES IN MONTGOMERY COUNTY IS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM.

3-403.

(a) [The] **SUBJECT TO § 3-403.1 OF THIS SUBTITLE, THE** Secretary shall enter into a grant agreement with the Montgomery County government for the administration in Montgomery County of programs administered in other counties by local departments.

(b) The grant agreement shall:

(1) provide for payment to Montgomery County for the costs of administering State programs at State funding rates as provided in § 3-202 of this title:

(i) including salaries, overhead, general liability coverage, workers' compensation, and employee benefits; but

(ii) excluding amounts attributable to county salaries or benefits that exceed comparable State salaries or benefits;

(2) require the State to pay for State accrued leave; and

(3) utilize the same budget categories as appropriations in the State budget for local departments in other counties.

3-403.1.

(A) THIS SECTION APPLIES ONLY TO THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES IN MONTGOMERY COUNTY WHO WAS A PARTICIPANT IN THE MONTGOMERY COUNTY RETIREMENT SYSTEM.

(B) THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES IN MONTGOMERY COUNTY WHO IS TRANSFERRED INTO THE STATE PERSONNEL MANAGEMENT SYSTEM AS AN EMPLOYEE OF THE SOCIAL SERVICES ADMINISTRATION OF THE MARYLAND DEPARTMENT OF HUMAN RESOURCES, MAY ELECT TO:

(1) REMAIN AS A PARTICIPANT IN THE MONTGOMERY COUNTY RETIREMENT SYSTEM; OR