

(d) (1) Subject to paragraph (2)(i) 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.

(2) (i) For an absence for military service on or after January 1, 1946, service credit for the military service may not exceed 5 years.

(ii) 1. This subparagraph applies only to a member of a State system.

2. Subject to subparagraph (i) of this paragraph and in addition to any service credit received under paragraph (1) of this subsection, a member of the Maryland National Guard who has been activated under Title 10 of the United States Code, shall receive service credit at the rate of 4 months for each full year for military service, not to exceed a total of 36 months.

(e) A member of a State or local retirement or pension system who receives service credit for military service under this section may transfer the credit to another State or local retirement or pension system.

**(F) THE SERVICE CREDIT FOR MILITARY SERVICE THAT A MEMBER OF A STATE SYSTEM RECEIVES UNDER THIS SECTION SHALL BE APPLIED TO THE INDIVIDUAL'S RETIREMENT ALLOWANCE USING THE ACCRUAL RATE AT THE TIME THE INDIVIDUAL RETIRES FROM A STATE SYSTEM.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

---

May 17, 2007

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, MD 21401