

(II) THE YEARS OF SERVICE AND AMOUNT OF RETIREMENT BENEFITS TO BE CREDITED BY THE RETIREMENT OR PENSION SYSTEM INTO WHICH THE MEMBER TRANSFERS FOR THE YEARS OF SERVICE AND RETIREMENT BENEFITS EARNED WHILE A MEMBER OF THE RETIREMENT OR PENSION SYSTEM FROM WHICH THE MEMBER TRANSFERS.

(3) THE DETERMINATIONS MADE IN PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL BE MADE BY ACTUARIAL COMPUTATIONS OF THE RETIREMENT OR PENSION SYSTEM INTO WHICH THE MEMBER TRANSFERS.

(4) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ARTICLE OR THE LAWS OF ANY POLITICAL SUBDIVISION OF THIS STATE, ON VERIFICATION OF THE SERVICE CREDIT, THE RETIREMENT OR PENSION SYSTEM FROM WHICH THE TRANSFER IS MADE MAY NOT PROVIDE ANY BENEFIT FOR THE SERVICE TRANSFERRED.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, §§ 31(a) and 32(a) through (d) and (f).

The only change is technical.

1-402. ACCEPTANCE OF EMPLOYMENT BY SPECIFIED FORMER MEMBERS AND TRANSFER OF CREDIT.

(A) ANY PERSON WHO IS A FORMER MEMBER OF ANY RETIREMENT OR PENSION SYSTEM, OPERATED ON AN ACTUARIAL BASIS, WITH CONTRIBUTIONS BEING MADE DURING THE ACTIVE SERVICE OF MEMBERS WHICH ARE COMPUTED TO BE SUFFICIENT TO PROVIDE THE RESERVES NEEDED TO COVER THE BENEFITS PAYABLE ON THE MEMBER'S ACCOUNT, EITHER UNDER THE LAWS OF THE STATE OR UNDER THE LAWS OF ANY POLITICAL SUBDIVISION OF THE STATE, MAY TRANSFER SERVICE CREDIT ATTAINED AS A RESULT OF THAT FORMER MEMBERSHIP TO ANY OTHER SUCH RETIREMENT OR PENSION SYSTEM IF:

(1) THE FORMER MEMBER SERVED AS AN ELECTED OR APPOINTED OFFICIAL AS A MEMBER OF THE RETIREMENT OR PENSION SYSTEM FROM WHICH THE SERVICE CREDIT IS TO BE TRANSFERRED;

(2) THE FORMER MEMBER IS SERVING AS AN ELECTED OR APPOINTED OFFICIAL OF THE STATE AT THE TIME OF A REQUEST FOR THE TRANSFER OF SERVICE CREDIT;

(3) A BREAK IN SERVICE OCCURRED THAT PREVENTS THE FORMER MEMBER FROM TRANSFERRING MEMBERSHIP UNDER § 1-401(A) OF THIS SUBTITLE; AND

(4) THE CURRENT OFFICE OF THE FORMER MEMBER MAKES IT: