

(I) POSSIBLE OR MANDATORY FOR THE FORMER MEMBER TO PARTICIPATE IN THE RETIREMENT OR PENSION SYSTEM TO WHICH THE SERVICE CREDIT IS TO BE TRANSFERRED; AND

(II) IMPOSSIBLE FOR THE MEMBER TO CONTINUE AS A CONTRIBUTING MEMBER OF THE RETIREMENT OR PENSION SYSTEM FROM WHICH THE SERVICE CREDIT IS TO BE TRANSFERRED.

(B) (1) IF SERVICE CREDIT IS TRANSFERRED UNDER SUBSECTION (A) OF THIS SECTION FOR A FORMER MEMBER OF A RETIREMENT OR PENSION SYSTEM, THE FORMER MEMBER SHALL RECEIVE SERVICE CREDIT FOR AND IN THE AMOUNT OF BENEFITS IN THE SYSTEM TO WHICH THE MEMBER TRANSFERS.

(2) ANY CLAIM FOR THE SERVICE CREDIT SHALL BE MADE ON OR BEFORE THE LATER OF:

(I) JULY 1, 1991; OR

(II) ONE YEAR AFTER THE FORMER MEMBER BECOMES A MEMBER OF THE RETIREMENT OR PENSION SYSTEM TO WHICH SERVICE CREDIT IS TO BE TRANSFERRED.

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

(4) ANY ACCUMULATED CONTRIBUTIONS TO THE CREDIT OF THE MEMBER IN THE SYSTEM FROM WHICH THE MEMBER TRANSFERS SHALL BE REFUNDED UPON REQUEST.

(5) ACCUMULATED CONTRIBUTIONS APPLICABLE TO THE RECEIPT OF SERVICE CREDIT OR BENEFITS IN THE SYSTEM TO WHICH THE MEMBER TRANSFERS MAY NOT BE REFUNDED.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, §§ 31(b) and 32(e).

The only change is technical.

#### 1-403. INVOLUNTARY TRANSFERS OF EMPLOYMENT.

(A) IF AN EMPLOYEE WHO IS A MEMBER OF A RETIREMENT OR PENSION SYSTEM OPERATED ON AN ACTUARIAL BASIS UNDER THE LAWS OF THIS STATE OR THE LAWS OF ANY POLITICAL SUBDIVISION OF THIS STATE TRANSFERS TO ANOTHER RETIREMENT OR PENSION SYSTEM AS A RESULT OF AN INVOLUNTARY TRANSFER OF THE EMPLOYEE'S UNIT TO ANOTHER EMPLOYER, ALL THE EMPLOYER'S CONTRIBUTIONS WITH