

RETIREMENT AND PENSION SYSTEMS ON JULY 1, 1991. SUCH A FORMER CITY JAIL EMPLOYEE SHALL BE ENTITLED TO A VESTED ALLOWANCE, AS PROVIDED FOR IN THE EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF BALTIMORE, TO BE PAID BY THE CITY SYSTEM FOR SERVICE CREDITED TO THE SYSTEM. UPON RETIREMENT, EACH EMPLOYEE MAY ELECT TO PARTICIPATE IN EITHER:

(1) THE STATE EMPLOYEE HEALTH INSURANCE PROGRAM FOR RETIREES, UNDER THE SAME TERMS AND CONDITIONS AS OTHER STATE EMPLOYEES AS SET FORTH IN ARTICLE 64A OF THE CODE; OR

(2) THE BALTIMORE CITY HEALTH INSURANCE PROGRAM FOR RETIREES, UNDER THE SAME TERMS AND CONDITIONS AS OTHER MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF BALTIMORE.

(D) IF A FORMER BALTIMORE CITY JAIL EMPLOYEE WHO HAS ELECTED TO ENROLL IN THE MARYLAND STATE RETIREMENT AND PENSION SYSTEMS, AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE FROM THE EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF BALTIMORE, THE EMPLOYEE SHALL RECEIVE A CASH PAYMENT FROM THE CITY SYSTEM EQUIVALENT TO THE VALUE OF THE EMPLOYEE'S ACCRUED BENEFIT IN THE EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF BALTIMORE, AS DETERMINED BY THE CITY'S ACTUARY.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 156A.

TITLE 2. EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND.

COMMITTEE NOTE TO TITLE: In this title, the provisions pertaining to the Employees' Retirement System of the State of Maryland have been clarified and reorganized. Where appropriate, changes have been made in order to conform this title to other titles in this article. The Committee Note following each section or subsection specifies the reason for any changes to that section or subsection.

SUBTITLE 1. GENERAL PROVISIONS.

2-101. DEFINITIONS.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

COMMITTEE NOTE: This subsection is new language that is standard introductory language for definition sections.

(B) (1) "AVERAGE FINAL COMPENSATION" MEANS THE AVERAGE ANNUAL EARNABLE COMPENSATION OF AN EMPLOYEE FOR THE THREE YEARS OF SERVICE AS AN EMPLOYEE DURING WHICH THE EMPLOYEE'S