

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 86A.

The last sentence of § 86A(c) of this section is deleted as obsolete.

Former § 86A(f) and (i) are deleted as obsolete.

The new language in subsection (h) of this section is added to clarify that a surviving spouse who is entitled to a death benefit allowance receives the same adjustment that is allowed for a surviving beneficiary of a retired member.

The only other changes are stylistic or technical.

3-411. RETIREMENT SELECTION A (ADDITIONAL EMPLOYEE CONTRIBUTIONS).

(A) DEFINITION. IN THIS SECTION, "SELECTION A (ADDITIONAL EMPLOYEE CONTRIBUTIONS)" MEANS THE RETIREMENT SELECTION DESCRIBED IN THIS SECTION.

(B) ELECTIVE ALLOWANCE. — NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, A MEMBER WHO IS IN SERVICE ON JULY 1, 1984, MAY ELECT TO RECEIVE AN ALLOWANCE AS PROVIDED IN THIS SECTION.

(C) NOTICE OF ELECTION. — (1) A MEMBER IN SERVICE ON JULY 1, 1984, WHO WISHES TO SELECT THE ALLOWANCE AS PROVIDED IN THIS SECTION SHALL NOTIFY THE TEACHERS' RETIREMENT SYSTEM NOT LATER THAN JANUARY 1, 1985, OF THIS ACTION ON FORMS PROVIDED BY THE SYSTEM. A MEMBER NOT IN SERVICE ON JULY 1, 1984, BUT WHO IS ELIGIBLE TO RETURN TO SERVICE IN THE SYSTEM SHALL HAVE 90 DAYS FROM THE DATE OF RETURN TO SERVICE TO SELECT THE OPTION PROVIDED IN THIS SECTION.

(2) THE EXECUTIVE DIRECTOR OF THE STATE RETIREMENT AGENCY MAY ACCEPT AN ELECTION UNDER THIS SUBSECTION FILED BY A MEMBER AFTER JANUARY 1, 1985, OR AFTER THE EXPIRATION OF 90 DAYS FROM RETURN TO SERVICE UPON RECEIPT OF SATISFACTORY PROOF OF GOOD CAUSE FOR DELAY. FAILURE TO RECEIVE NOTICE OR INABILITY TO RESPOND TO NOTICE SHALL CONSTITUTE GOOD CAUSE.

(D) COMPUTATION. — A MEMBER WHO SELECTS THE ALLOWANCE AS PROVIDED IN THIS SECTION SHALL RECEIVE AN ALLOWANCE FOR ALL CREDITABLE SERVICE AS FOLLOWS:

(1) FOR SERVICE RETIREMENT AS PROVIDED BY § 3-401(B) OF THIS SUBTITLE;

(2) FOR EARLY RETIREMENT FOR SERVICE AS PROVIDED BY § 3-402(B) OF THIS SUBTITLE;

(3) FOR RETIREMENT FOR ORDINARY DISABILITY AS PROVIDED BY § 3-404(A) OF THIS SUBTITLE; AND