

ELIGIBLE FOR PARTICIPATION IN THE RETIREMENT SYSTEM, SUCH MEMBERS SHALL BE ELIGIBLE FOR PARTICIPATION AS IF THEY WERE TEACHERS EMPLOYED IN THE PUBLIC SCHOOLS, SUBJECT TO ALL THE CONDITIONS, LIMITATIONS AND RESTRICTIONS IMPOSED BY § 3-501 OF THIS SUBTITLE.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 101.

The only change is technical.

3-504. INCLUSION OF PROFESSIONAL AND CLERICAL LIBRARY EMPLOYEES IN TEACHERS' RETIREMENT SYSTEM; EXCEPTION.

(A) THE PROFESSIONAL AND CLERICAL EMPLOYEES OF ANY LIBRARY ESTABLISHED OR OPERATING UNDER THE PROVISIONS OF TITLE 23 OF THE EDUCATION ARTICLE ARE INCLUDED IN THE DEFINITION OF "TEACHER" AND "MEMBER," AS THOSE TERMS ARE DEFINED RESPECTIVELY IN § 3-101(J) OF THIS TITLE AND § 1-101(L) OF THIS ARTICLE, AND ALL SUCH PROFESSIONAL AND CLERICAL EMPLOYEES ARE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES AND SUBJECT TO ALL OF THE OBLIGATIONS OF THE TEACHERS' RETIREMENT SYSTEM AS ESTABLISHED AND MAINTAINED UNDER THIS SUBTITLE EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION; PROVIDED, HOWEVER, THAT EACH PROFESSIONAL AND CLERICAL EMPLOYEE OF THE DEPARTMENT OF PUBLIC LIBRARIES OF MONTGOMERY COUNTY WHO IS COVERED UNDER THE TEACHERS' RETIREMENT SYSTEM MAY ELECT TO TRANSFER TO THE EMPLOYEES' RETIREMENT SYSTEM OF MONTGOMERY COUNTY; AND ANY SUCH EMPLOYEE MAY ELECT TO SUBSEQUENTLY TRANSFER TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND, OTHER STATE RETIREMENT SYSTEM, OR THE RETIREMENT SYSTEM OF A MUNICIPALITY OR LEGISLATIVE BODY OF THE STATE OF MARYLAND WHICH IS BEING OPERATED ON AN ACTUARIAL BASIS WITH CONTRIBUTIONS BEING MADE DURING THE ACTIVE SERVICE OF NEW MEMBERS WHICH ARE COMPUTED TO BE SUFFICIENT TO PROVIDE THE RESERVES NEEDED TO COVER THE RETIREMENT BENEFITS PAYABLE ON THEIR ACCOUNT.

(B) THE PROFESSIONAL AND CLERICAL EMPLOYEES OF THE ENOCH PRATT FREE LIBRARY OF BALTIMORE CITY, EXCEPT FOR EMPLOYEES DESCRIBED IN SUBSECTION (D) OF THIS SECTION, ARE INCLUDED IN THE DEFINITION OF "TEACHER" AS THAT TERM IS DEFINED IN § 3-101(J) OF THIS TITLE FOR AND IN CONNECTION WITH ANY AND ALL OF THE TERMS AND PROVISIONS OF § 1-305 OF THIS ARTICLE.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR OTHER STATUTE, THE STATE OF MARYLAND SHALL MAKE CONTRIBUTIONS TO THE RETIREMENT AND PENSION SYSTEM, AND CONTRIBUTIONS FOR THE EMPLOYER'S SHARE FOR SOCIAL SECURITY, FOR THE BENEFIT OF THE PROFESSIONAL AND CLERICAL EMPLOYEES OF