

(3) FOR THE PURPOSES OF THIS SUBSECTION, IF ANY EMPLOYER PROVIDES AN ANNUAL SICK LEAVE ALLOWANCE IN EXCESS OF 15 DAYS, THE DAYS OF SICK LEAVE ACTUALLY USED IN ANY YEAR SHALL BE CHARGED FIRST TO THE EXTENT OF THE EXCESS.

(4) A MEMBER WHO TERMINATES SERVICE FOR REASONS OTHER THAN RETIREMENT PRIOR TO JULY 1, 1990, AND WHO IS OTHERWISE ENTITLED TO A VESTED ALLOWANCE MAY RECEIVE CREDIT FOR UNUSED SICK LEAVE REPORTED BY THE MEMBER'S EMPLOYER AT TIME OF TERMINATION OF EMPLOYMENT.

(5) CREDIT FOR UNUSED SICK LEAVE MAY NOT BE USED UNDER THIS SUBSECTION:

(I) TO DETERMINE THE YEARS OF ELIGIBILITY SERVICE REQUIRED FOR THE FOLLOWING:

1. DEATH BENEFIT;
2. ORDINARY DISABILITY;
3. VESTING OF EMPLOYER CONTRIBUTIONS;
4. EARLY RETIREMENT; AND

(II) TO COMPUTE AVERAGE FINAL COMPENSATION.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 115(1) through (6), (8), and (10).

Subsection (a) of this section is new language to clarify the type of credit that qualifies for creditable service.

Subsection (b) of this section is new language derived without substantive change from former Art. 73B, § 115(1), (2), and (10). The adjustment formula for eligibility service in subsection (b)(2) of this section is clarified to show that it is applicable to a member who has completed less than the normal hours of service for the member's position. The normal hours of service for a member's position equal the minimum number of hours to be completed by a full-time employee serving in that position.

Former Art. 73B, § 115(3) and the first sentence of § 115(5) are deleted as inaccurate.

Former Art. 73B, § 115(4) and (6) and the second sentence of former § 115(5) are deleted as redundant. See § 4-301(b), (c), and (d) of this subtitle.

Subsection (c) of this section formerly appeared as Art. 73B, § 115(8).

Former § 115(9), (11), and (12) now appear as § 4-301(g), (h), and (i), respectively.

The only other changes are stylistic or technical.