

(I) AN APPLICATION HAS BEEN SUBMITTED TO THE BOARD OF TRUSTEES:

1. BY THE MEMBER; OR
2. IF THE MEMBER IS UNABLE TO APPLY, BY THE MEMBER'S DEPARTMENT HEAD;

(II) THE MEMBER HAS BEEN TOTALLY AND PERMANENTLY INCAPACITATED FOR DUTY AS THE NATURAL AND PROXIMATE RESULT OF AN ACCIDENT THAT OCCURS WHILE IN THE ACTUAL PERFORMANCE OF DUTY AT SOME DEFINITE TIME AND PLACE WITHOUT WILLFUL NEGLIGENCE ON THE PART OF THE MEMBER; AND

(III) THE MEDICAL BOARD HAS CERTIFIED THAT:

1. THE MEMBER IS TOTALLY INCAPACITATED, EITHER MENTALLY OR PHYSICALLY, FOR THE FURTHER PERFORMANCE OF DUTY;
2. THE INCAPACITY IS LIKELY TO BE PERMANENT;
AND
3. THE MEMBER SHOULD BE RETIRED.

(2) A MEMBER MAY NOT RECEIVE AN ACCIDENTAL DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE PENSION SYSTEM, EXCEPT TO THE EXTENT THAT A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND OR THE TEACHERS' RETIREMENT SYSTEM OF THE STATE OF MARYLAND TO THE PENSION SYSTEM FOR EMPLOYEES OF THE STATE OF MARYLAND SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE RETIREMENT SYSTEM FROM WHICH THE MEMBER TRANSFERRED.

(3) FOR THE PURPOSES OF THIS SUBSECTION, MEMBERSHIP IN THE PENSION SYSTEM FOR EMPLOYEES SHALL CONTINUE FOR A PERIOD OF 2 YEARS FROM THE TIME PAID EMPLOYMENT IS TERMINATED.

(4) ON RETIREMENT FOR ACCIDENTAL DISABILITY, A MEMBER SHALL RECEIVE:

(I) IF THE MEMBER IS AT LEAST 62 YEARS OLD, A SERVICE RETIREMENT ALLOWANCE; OR

(II) IF THE MEMBER IS UNDER THE AGE OF 62 YEARS, AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE THAT IS THE LESSER OF:

1. THE MEMBER'S AVERAGE FINAL COMPENSATION;
OR