

(C) A MEMBER RETIRED IN ACCORDANCE WITH SUBSECTION (B)(1) OF THIS SECTION SHALL RECEIVE A SUPPLEMENTAL SERVICE RETIREMENT ALLOWANCE THAT SHALL BE COMPUTED AS THE DIFFERENCE BETWEEN THE SERVICE RETIREMENT ALLOWANCE RECEIVED BY THE MEMBER AND A SERVICE RETIREMENT ALLOWANCE COMPUTED AS 1.7 PERCENT OF THE MEMBER'S AVERAGE FINAL COMPENSATION FOR EACH YEAR OF CREDITABLE SERVICE. THE MEMBER, UPON RETIREMENT, SHALL RECEIVE THIS SUPPLEMENTAL RETIREMENT ALLOWANCE UNTIL THE MEMBER ATTAINS THE AGE OF 62 YEARS.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 157(c), (d) and (e).

In subsection (a)(1)(ii) of this section, the defined term "eligibility service" is substituted for "creditable service".

8-402. ORDINARY AND ACCIDENTAL DISABILITY BENEFITS.

(A) (1) THE BOARD OF TRUSTEES SHALL GRANT AN ORDINARY DISABILITY RETIREMENT ALLOWANCE TO A MEMBER IF:

(I) THE MEMBER HAS ATTAINED AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) 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; AND

(III) THE MEDICAL BOARD CERTIFIES THAT:

1. THE MEMBER IS MENTALLY OR PHYSICALLY INCAPACITATED FOR THE FURTHER PERFORMANCE OF THE NORMAL DUTIES OF THE MEMBER'S POSITION;

2. THE INCAPACITY IS LIKELY TO BE PERMANENT;

AND

3. THE MEMBER SHOULD BE RETIRED.

(2) IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THIS PENSION SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE EMPLOYEES' RETIREMENT SYSTEM OR THE PENSION SYSTEM FOR EMPLOYEES SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE SYSTEM FROM WHICH THE MEMBER TRANSFERRED.