

(2) CREDIT TRANSFERRED FROM A RETIREMENT OR PENSION SYSTEM UNDER TITLE 1, SUBTITLE 4 OF THIS ARTICLE (TRANSFERS) SHALL BE ELIGIBILITY SERVICE.

(C) A MEMBER'S ELIGIBILITY SERVICE SHALL INCLUDE PERIODS WHILE IN THE MILITARY SERVICE AS SPECIFIED IN ARTICLE 65, § 88 OF THE CODE.

(D) A PERIOD OF TIME DURING WHICH A MEMBER IS ON A LEAVE OF ABSENCE APPROVED BY THE BOARD OF TRUSTEES, UNDER RULES THAT APPLY TO ALL MEMBERS SIMILARLY SITUATED, SHALL BE INCLUDED IN ELIGIBILITY SERVICE IF THE PERIOD OF LEAVE IS NOT INCLUDED OTHERWISE UNDER THIS SECTION.

(E) (1) THERE SHALL BE A BREAK IN SERVICE FOR ANY FISCAL YEAR AFTER THE YEAR IN WHICH A MEMBER FIRST BECOMES EMPLOYED DURING WHICH THE MEMBER DOES NOT COMPLETE MORE THAN 350 HOURS OF SERVICE WITH THE STATE.

(2) ANY MEMBER WHO INCURS A BREAK IN SERVICE AND LATER RETURNS TO MEMBERSHIP MAY BE CREDITED WITH THE ELIGIBILITY SERVICE TO WHICH THE MEMBER WAS ENTITLED BEFORE THE BREAK IN SERVICE, IF:

(I) 1. THE MEMBER HAS COMPLETED 1 YEAR OF ELIGIBILITY SERVICE FOLLOWING THE BREAK IN SERVICE; AND

2. THE NUMBER OF CONSECUTIVE 1-YEAR BREAKS IN SERVICE OF THE MEMBER IS LESS THAN THE AGGREGATE NUMBER OF YEARS OF ELIGIBILITY SERVICE RENDERED AS A MEMBER OF THIS PENSION SYSTEM BEFORE THE BREAK IN SERVICE, DETERMINED AS OF THE TIME OF THE BREAK IN SERVICE AND EXCLUDING ANY ELIGIBILITY SERVICE DISREGARDED BECAUSE OF ANY PRIOR BREAK IN SERVICE; OR

(II) THE MEMBER WAS ENTITLED TO A VESTED ALLOWANCE FROM THIS PENSION SYSTEM AT THE TIME OF THE BREAK IN SERVICE.

(F) IN THE YEAR OF RETIREMENT, CREDIT FOR ELIGIBILITY SERVICE OF UP TO 10 YEARS, AS LISTED BELOW, MAY BE RECEIVED BY A MEMBER FOR BENEFITS PROVIDED UNDER SUBTITLE 4 OF THIS TITLE, IF THE MEMBER FILES CLAIM FOR IT WITH THE BOARD OF TRUSTEES AND PAYS INTO THIS PENSION SYSTEM AN AMOUNT EQUAL TO THE RESERVES REQUIRED TO FUND THE ADDITIONAL ALLOWANCE, WHICH MAY BE PAID ON AN INSTALLMENT BASIS BY CONTRIBUTING NOT LESS THAN 2 PERCENT OF COMPENSATION PER YEAR WITH THE APPROPRIATE FINAL ADJUSTMENTS BEING MADE IN THE YEAR IN WHICH THE MEMBER RETIRES, FOR PREVIOUS SERVICE TIME:

(1) WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE;