

(3) Subsection (b)(2) of this section does not include transfers from municipal corporations as part of eligibility service since the type of transfer of credit would be applicable in the employees' systems only.

(4) A provision similar to Art. 73B, § 4-301(f) has been deleted from this section. Section 4-301(f) specifies how the break in service rules apply to a former member of the Pension System for Teachers who becomes a member of the Pension System for Employees. It is not clear how the General Assembly intended for this provision to apply to this pension system. The General Assembly may want to enact a similar provision to address the issue of whether the rules on break in service apply to former members of other State pension systems who become members of this pension system.

(5) A provision similar to Art. 73B, § 4-301(i) has been excluded from this section. Section 4-301(i) only applies to a member of the Pension System for Employees who is employed by a member of the Senate or House of Delegates.

#### 10-213. CREDITABLE SERVICE.

(A) FOR THE PURPOSE OF CALCULATING BENEFITS UNDER THIS TITLE, CREDITABLE SERVICE SHALL CONSIST OF:

(1) ELIGIBILITY SERVICE, ADJUSTED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; AND

(2) CREDIT FOR UNUSED SICK LEAVE, AS PROVIDED IN SUBSECTION (C) OF THIS SECTION.

(B) (1) ELIGIBILITY SERVICE, OTHER THAN ELIGIBILITY SERVICE TRANSFERRED TO THIS SYSTEM, MILITARY SERVICE, OR CREDIT PURCHASED AS ELIGIBILITY SERVICE SHALL BE ADJUSTED, AS PROVIDED IN THIS SUBSECTION.

(2) THE BOARD OF TRUSTEES SHALL ESTABLISH RULES TO DETERMINE THE CREDITABLE SERVICE WITH RESPECT TO ANY FISCAL YEAR OF ELIGIBILITY SERVICE FOR A MEMBER WHO HAS COMPLETED LESS THAN THE NORMAL HOURS OF SERVICE FOR THE MEMBER'S POSITION. THE NORMAL HOURS OF SERVICE SHALL BE EQUAL TO THE MINIMUM NUMBER OF HOURS TO BE COMPLETED BY A FULL-TIME EMPLOYEE SERVING IN THE MEMBER'S POSITION. HOWEVER, THE CREDITABLE SERVICE RECOGNIZED FOR THAT YEAR MAY NOT BE LESS THAN THE ELIGIBILITY SERVICE FOR THE MEMBER MULTIPLIED BY A FRACTION NOT TO EXCEED 1:

(I) THE NUMERATOR OF WHICH IS THE NUMBER OF HOURS OF SERVICE AS A MEMBER THAT THE MEMBER HAS COMPLETED DURING THAT YEAR; AND

(II) THE DENOMINATOR OF WHICH IS THE NORMAL NUMBER OF HOURS OF SERVICE FOR THE MEMBER'S POSITION.