

(1) A MEMBER OF THE FACULTY AT ANY OF THE INSTITUTIONS SET FORTH IN § 11-102 OF THIS TITLE;

(2) A PROFESSIONAL EMPLOYEE AT ANY COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE;

(3) A UNIVERSITY OF MARYLAND SYSTEM EMPLOYEE WHO IS NOT DESIGNATED TO BE TREATED AS A CLASSIFIED EMPLOYEE BY THE UNIVERSITY UNDER § 12-111 OF THE EDUCATION ARTICLE; OR

(4) A PERSON WHO:

(I) IS EMPLOYED BY MORGAN STATE UNIVERSITY OR ST. MARY'S COLLEGE OF MARYLAND; AND

(II) WHO IS NOT SUBJECT TO THE MERIT SYSTEM LAW.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 110(b)(2).

Subsection (a) of this section is new language that is standard introductory language for definition sections.

#### 11-102. ADOPTION OF OPTIONAL RETIREMENT PROGRAM.

THE OPTIONAL RETIREMENT PROGRAM PROVIDED FOR IN THIS TITLE MAY BE ADOPTED BY ANY OF THE FOLLOWING BOARDS WITH RESPECT TO THE INSTITUTION OR INSTITUTIONS GOVERNED BY THAT BOARD OR WITH RESPECT TO THAT BOARD'S OWN STAFF:

(1) BOARD OF REGENTS OF THE UNIVERSITY OF MARYLAND SYSTEM;

(2) BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND;

(3) MARYLAND HIGHER EDUCATION COMMISSION WITH RESPECT TO THE COMMISSION AND ANY COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE; AND

(4) BOARD OF REGENTS OF MORGAN STATE UNIVERSITY.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 110(a).

The only change is technical.

#### 11-103. REQUIREMENTS FOR ESTABLISHMENT OF OPTIONAL RETIREMENT PROGRAM.

(A) AN OPTIONAL RETIREMENT PROGRAM AUTHORIZED TO BE ESTABLISHED AND MAINTAINED BY ANY OF THE GOVERNING BOARDS SET FORTH IN § 11-102 OF THIS TITLE SHALL AUTHORIZE THE PURCHASE OF CONTRACTS PROVIDING RETIREMENT AND DEATH BENEFITS FOR THE