

(2) Except in the first and last fiscal years OR EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, a member may not receive any eligibility service for a fiscal year in which the member completes less than 700 hours of employment while a member.

(3) In the first and last fiscal years, if a member completes less than 700 hours of employment while a member, the Board of Trustees shall prorate the eligibility service based on the number of hours worked.

(C) (1) THIS SUBSECTION DOES NOT APPLY TO:

(I) AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT OR A FORMER PARTICIPATING GOVERNMENTAL UNIT THAT HAS WITHDRAWN; OR

(II) A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM OR TEACHERS' RETIREMENT SYSTEM AFTER APRIL 1, 1998.

~~(2) IF A MEMBER WHO IS SUBJECT TO THE ALTERNATE PENSION SELECTION UNDER SUBTITLE 2, PART II OF THIS TITLE COMPLETES LESS THAN 700 500 HOURS OF EMPLOYMENT WHILE A MEMBER SUBJECT TO THAT SELECTION, THE BOARD OF TRUSTEES SHALL PRORATE THE ELIGIBILITY SERVICE BASED ON THE NUMBER OF HOURS WORKED.~~

23-303.

(a). In this section, "break in service" means a period of separation from employment in a fiscal year after the one in which a member first becomes employed, if during that fiscal year the member does not complete more than 350 hours of employment while a member.

(b) (1) This section applies to a member of the Employees' Pension System or the Teachers' Pension System who was a member of one of those State systems.

(2) This section does not apply to:

(I) a retiree of the Employees' Pension System or the Teachers' Pension System; OR

(II) A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM WHO IS SUBJECT TO THE ALTERNATE PENSION SELECTION UNDER SUBTITLE 2, PART II OF THIS TITLE NOT AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT OR A FORMER PARTICIPATING GOVERNMENTAL UNIT THAT HAS WITHDRAWN OR WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM OR TEACHERS' RETIREMENT SYSTEM ON OR BEFORE APRIL 1, 1998.

(c) A member is entitled to the eligibility service to which the member was entitled before the separation from employment if:

(1) the member has not incurred a break in service;