

(3) ANY ADDITIONAL ANNUITY.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - State Personnel and Pensions

TITLE 32. OPTIONAL DEFINED CONTRIBUTION SYSTEM.

SUBTITLE 1. DEFINITIONS.

32-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ELIGIBLE EMPLOYEE" MEANS:

(4) A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OTHER THAN:

(1) AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT; OR

(2) A MEMBER OF THE TEACHERS' PENSION SYSTEM OR A FORMER PARTICIPATING GOVERNMENTAL UNIT THAT HAS WITHDRAWN; OR

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

(C) "OPTIONAL DEFINED CONTRIBUTION SYSTEM" MEANS THE SYSTEM ESTABLISHED UNDER § 32-201 OF THIS TITLE.

(D) "PARTICIPATING EMPLOYEE" MEANS AN ELIGIBLE EMPLOYEE WHO PARTICIPATES IN THE OPTIONAL DEFINED CONTRIBUTION SYSTEM.

(E) (1) "STATE SUPPLEMENTAL PLAN" MEANS A PLAN QUALIFIED UNDER THE INTERNAL REVENUE CODE AND ADMINISTERED BY THE SUPPLEMENTAL BOARD.

(2) "STATE SUPPLEMENTAL PLAN" INCLUDES:

(I) A SALARY REDUCTION PLAN QUALIFIED UNDER § 401(K) OF THE INTERNAL REVENUE CODE;

(II) A TAX SHELTERED ANNUITY PLAN QUALIFIED UNDER § 403(B) OF THE INTERNAL REVENUE CODE;

(III) A DEFERRED COMPENSATION PLAN QUALIFIED UNDER § 457 OF THE INTERNAL REVENUE CODE; OR

(IV) A PLAN QUALIFIED UNDER § 401(A) OF THE INTERNAL REVENUE CODE.

(F) "SUPPLEMENTAL BOARD" MEANS THE STATE BOARD OF TRUSTEES OF THE MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS ESTABLISHED UNDER § 35-201 OF THIS ARTICLE.