

~~(iii)~~ (ii) is receiving service credit in the Judges' Retirement System.

(2) (i) An individual described in paragraph (1) of this subsection may elect to apply for a service retirement allowance from the State employees' system from which the individual is eligible to receive an allowance.

(ii) An individual who elects to apply for a service retirement allowance under subparagraph (i) of this paragraph shall complete and file a form provided by the Board of Trustees for the State Retirement and Pension System on or before December 31, 2008, directing the Board of Trustees to suspend the individual's service retirement allowance from the Employees' Retirement System or Employees' Pension System while the individual is receiving service credit in the Judges' Retirement System.

(b) (1) This subsection applies to an individual who on June 30, 2008:

(i) ~~is serving as a judge of the Court of Appeals, the Court of Special Appeals, a circuit court of a county in the State, or the District Court of Maryland~~ is eligible for membership in the Judges' Retirement System as provided in § 27-201(a) of the State Personnel and Pensions Article;

(ii) is receiving a service retirement allowance from the Employees' Retirement System or the Employees' Pension System; and

(iii) is receiving a reduction to that allowance under § 22-406 or § 23-407 of the State Personnel and Pensions Article.

(2) (i) An individual described in paragraph (1) of this subsection may elect to receive service credit in the Judges' Retirement System.

(ii) An individual who elects to receive service credit in the Judges' Retirement System under subparagraph (i) of this paragraph shall complete and file a form provided by the Board of Trustees for the State Retirement and Pension System on or before December 31, 2008, directing the Board of Trustees to suspend the individual's service retirement allowance from the Employees' Retirement System or Employees' Pension System while the individual is receiving service credit in the Judges' Retirement System.

(c) A service retirement allowance from the Employees' Retirement System or Employees' Pension System that is temporarily suspended under this section shall be suspended on the first day of the month following the month in which the Board of Trustees receives the individual's completed form under subsection (a)(2) or (b)(2) of this section.