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By: **Senator Jimeno**  
Introduced and read first time: February 1, 2002  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Retirement and Pensions - Military Service Credit**

3 FOR the purpose of removing the restriction that a member of a State retirement or  
4 pension system may not receive credit for certain military service; allowing  
5 certain retirees to have their retirement allowances recalculated to include  
6 credit for certain military service; and generally relating to military service  
7 credit for members and retirees of a State retirement or pension system.

8 BY repealing and reenacting, with amendments,  
9 Article - State Personnel and Pensions  
10 Section 38-104  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Personnel and Pensions**

16 38-104.

17 (a) Except as provided in subsection (b) of this section, a member of a State  
18 system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this  
19 subtitle, is entitled to receive service credit for military service only on the attainment  
20 of 10 years of creditable service.

21 (b) (1) [A member of a State system may not receive credit for that military  
22 service if the member receives credit for military service from another retirement  
23 system for which retirement benefits have been or will be received by the member.

24 (2) Paragraph (1) of this subsection does not apply to:

25 (i) credit for military service provided under:

26 1. the Social Security Act;

