

SENATE BILL 397

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2004 Regular Session  
4lr0728  
CF 4lr0730

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By: **Senator Jimeno**  
Introduced and read first time: February 5, 2004  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Teachers' Pension System - Former Members - Military Service Credit**

3 FOR the purpose of allowing certain former members to receive service credit in the  
4 Teachers' Pension System for military service; requiring certain former  
5 members to complete certain claims and submit certain forms to the Board of  
6 Trustees by a certain date; and generally relating to military service credit for  
7 former members of the Teachers' Pension System.

8 BY repealing and reenacting, without amendments,  
9 Article - State Personnel and Pensions  
10 Section 38-104  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume and 2003 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;

