
By: **Delegates Aumann, Boteler, Bromwell, Cluster, DeBoy, Frank, Jennings,
Kach, Mayer, Minnick, Morhaim, Trueschler, Weir, and Zirkin**

Introduced and read first time: January 26, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System - Military Service Credit - Eligibility**

3 FOR the purpose of reducing the number of years of creditable service that a member
4 of the State Retirement and Pension System is required to accrue in order to be
5 eligible to receive military service credit; and generally relating to the eligibility
6 requirements for receiving military service credit in the State Retirement and
7 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 (2004 Replacement Volume and 2005 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] 5 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;

