
By: **Senators DeGrange, Astle, Brinkley, Della, Dyson, Exum, Garagiola, Giannetti, Green, Greenip, Grosfeld, Hogan, Jacobs, Jimeno, Klausmeier, McFadden, Middleton, Ruben, Stoltzfus, and Stone**

Introduced and read first time: February 3, 2006

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Military Service Credit - Eligibility**

3 FOR the purpose of repealing certain limitations and certain exceptions for members
4 of the State Retirement and Pension System receiving credit for certain military
5 service credit; and generally relating to members of the State Retirement and
6 Pension System receiving military service credit.

7 BY repealing and reenacting, with amendments,
8 Article - State Personnel and Pensions
9 Section 38-104
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

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

14 **Article - State Personnel and Pensions**

15 38-104.

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

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

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

24 (i) credit for military service provided under:

25 1. the Social Security Act;

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2006.