§ 802. Credit for previously credited service. a. Notwithstanding any ineligibility to obtain credit by reason of a failure to transfer membership in a public retirement system pursuant to any applicable law, retirement credit shall be granted for service which predates the date of membership in a public retirement system after a member has rendered five years of credited service since last joining a public retirement system if:

(1) such service is otherwise creditable; and

(2) credit for such service had been granted by another public retirement system; and

(3) such service is not currently credited in any other public retirement system or any public retirement system in another state or of the federal government.

b. Credit shall not be granted under this section unless such member:

(1) files, prior to the effective date of retirement, a written request with the public retirement system from which credit is sought; and

(2) deposits with such system, prior to the effective date of retirement or as such system may allow, the amounts required in order to obtain previous service credit under the member's current membership. If the full amount of payment is not paid to such system, the amount of service credited shall be proportional to the total amount of the payments made.

c. The public retirement system may permit such member to pay such contributions with interest in monthly installments equal or less in number to the number of months of previous service credit granted or as such system may allow. Upon retirement, such member shall not receive credit for any service for which contributions are not paid as provided herein.

d. The granting of previous service credit pursuant to this section shall not affect the individual's date of membership or tier status.

e. This section shall not be construed to diminish, replace or conflict with any other statutory right to obtain credit for previous

service.