

ANNE ARUNDEL COUNTY

14-303, by sixty-six and two-thirds percent if he had elected a seventy percent continuation thereunder, or by fifty percent if he had elected an eighty percent continuation thereunder].

SECTION 2. AND BE IT FURTHER ENACTED, That Section 13-303 (e) of the Anne Arundel Code (1967 Edition and Supplements), Title 14, "Police," Subtitle 3, "Police and Fire Service Retirement," be and it is hereby repealed, and new Section 14-303(e) be, and it is hereby enacted in lieu thereof, to stand in the place of the section repealed, and to read as follows:

Section 14-303

(E) AMOUNT OF DISABILITY PENSION. THE ANNUAL AMOUNT OF DISABILITY PENSION PAYABLE TO EACH ELIGIBLE PARTICIPANT SHALL BE DETERMINED AS FOLLOWS:

(1) IF THE PARTICIPANT IS DEEMED TO BE TOTALLY AND PERMANENTLY DISABLED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS (A) AND (B) OF THIS SECTION, AND SUCH DISABILITY IS THE RESULT OF BODILY INJURY OR DISEASE ARISING OUT OF AND DIRECTLY RELATED TO AN ON-DUTY CAUSE, THE ANNUAL AMOUNT OF THE PARTICIPANT'S DISABILITY PENSION SHALL BE EQUAL TO SIXTY-SIX AND TWO-THIRDS PERCENT ($66 \frac{2}{3}\%$) OF HIS FINAL EARNINGS, LESS THAT PORTION OF THE ANNUAL AMOUNT OF EARNINGS RECEIVED FROM GAINFUL EMPLOYMENT IN THE PRECEDING CALENDAR YEAR WHICH, WHEN ADDED TO THE AMOUNT OF DISABILITY PENSION, IS IN EXCESS OF ONE HUNDRED PERCENT (100%) OF THE PARTICIPANT'S BASIC RATE OF EARNINGS IN EFFECT AS OF HIS DATE OF DISABILITY. HOWEVER, IN NO INSTANCE SHALL THE AMOUNT OF PENSION BE REDUCED BELOW THE AMOUNT OF ACCRUED PENSION CREDITED TO THE PARTICIPANT ON THE DATE DISABILITY PENSION PAYMENTS COMMENCE.

(2) IF THE PARTICIPANT IS DEEMED TO BE TOTALLY AND PERMANENTLY DISABLED SOLELY BECAUSE HE IS PREVENTED FROM ENGAGING IN ANY OCCUPATION OR EMPLOYMENT FOR REMUNERATION OR PROFIT IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (A) (1) OF THIS SECTION, THE ANNUAL AMOUNT OF THE PARTICIPANT'S DISABILITY PENSION SHALL BE EQUAL TO SIXTY-SIX AND TWO-THIRDS PERCENT ($66 \frac{2}{3}\%$) OF HIS FINAL EARNINGS, LESS THAT PORTION OF THE ANNUAL AMOUNT OF EARNINGS RECEIVED FROM GAINFUL EMPLOYMENT IN THE PRECEDING CALENDAR YEAR WHICH WHEN ADDED TO THE AMOUNT OF DISABILITY PENSION, IS IN EXCESS OF ONE HUNDRED