

## COUNTY LOCAL LAWS

accrued after re-entering the system shall be used in computing the amount of pension at subsequent retirement.

(e) Early retirement on full benefits. Notwithstanding other provisions of this Article, whenever a member's credited service plus age equals eighty-five, the member may elect early retirement and the early retirement reduction factors shall not apply, providing the member has at least thirty-five years of credited service.

SECTION IX. Section 42(f), title "Applicability of revised benefits" is hereby deleted.

SECTION X. Sections 43(a), title "Disability retirement procedures", 43(b), title "Non-service connected disability retirement", 43(c), title "Service connected disability retirement", 43(d), title "Medical re-examination of disability pensioner", 43(f), title "Amount of pension at service connected disability retirement", 43(g), title "Adjustment or cessation of disability pension payments", and 43(h), title "Administrative disability retirement", are hereby amended to read as follows:

(a) Disability retirement procedures. All disability retirements shall be approved by the Retirement Hearing Board, pursuant to the provisions of Section 33-48. A disability retirement may not become effective before a member uses all accrued sick leave and accrued compensatory leave in excess of eighty hours, if any.

(b) Non-service connected disability retirement. A member may be retired by the Retirement Hearing Board on a non-service connected disability retirement if:

(1) the member has ten years of credited service;

(2) the member has passed, at time of employment, or subsequent thereto, but prior to becoming disabled, a physical examination as required by the County's Medical Standards. In extenuating circumstances, the Retirement Hearing Board may waive such requirement;

(3) the member is mentally or physically incapacitated for the further performance of duty, or in the case of Group F members, is physically incapacitated as the result of an injury, that the incapacity is not due to willful negligence, and that the incapacity is