

EQUAL TO THE AMOUNT OF HIS AVERAGE FINAL COMPENSATION. IF HIS EARNING CAPACITY CHANGES LATER, THE AMOUNT OF HIS PENSION MAY BE FURTHER MODIFIED, EXCEPT THAT THE NEW PENSION MAY NOT EXCEED THE AMOUNT OF THE PENSION ORIGINALLY GRANTED NOR AN AMOUNT THAT, WHEN ADDED TO THE AMOUNT EARNABLE BY THE BENEFICIARY TOGETHER WITH HIS ANNUITY, EQUALS THE AMOUNT OF HIS AVERAGE FINAL COMPENSATION. A BENEFICIARY RESTORED TO ACTIVE SERVICE AT A SALARY LESS THAN THE AVERAGE FINAL COMPENSATION ON THE BASIS OF WHICH HE WAS RETIRED MAY NOT BECOME A MEMBER OF THE RETIREMENT SYSTEM UNTIL HIS SALARY IS AT LEAST EQUAL TO THE AVERAGE FINAL COMPENSATION. IN THIS PARAGRAPH, "RETIREMENT ALLOWANCE" MEANS THE ALLOWANCE PAYABLE WITHOUT OPTIONAL MODIFICATION AS PROVIDED IN SUBSECTION (12)(A) OF THIS SECTION. THE ALLOWED EARNINGS OF A DISABILITY PENSIONER SHALL BE DETERMINED BY THE DIFFERENCE BETWEEN HIS RETIREMENT ALLOWANCE AT THE TIME OF HIS RETIREMENT AND HIS AVERAGE FINAL COMPENSATION.

(C) IF A DISABILITY BENEFICIARY UNDER THE AGE OF 62 IS RESTORED TO ACTIVE SERVICE AND IF HIS ANNUAL COMPENSATION THEN OR AT ANY TIME BEFORE HE BECOMES 62 YEARS OLD IS EQUAL TO OR GREATER THAN HIS AVERAGE FINAL COMPENSATION AT RETIREMENT, HIS ALLOWANCE SHALL CEASE, HE SHALL BECOME A MEMBER OF THIS PENSION SYSTEM AGAIN. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ALL ELIGIBILITY AND CREDITABLE SERVICE PREVIOUSLY EARNED SHALL BE RESTORED AND, IN ADDITION, ON HIS SUBSEQUENT RETIREMENT, HE SHALL BE CREDITED WITH ALL THE SERVICE AS A MEMBER CREDITABLE TO HIM AT THE TIME OF RETIREMENT; BUT IF HE IS RESTORED TO MEMBERSHIP AFTER HE BECOMES 50 YEARS OLD, HIS PENSION, ON SUBSEQUENT RETIREMENT, MAY NOT EXCEED THE PENSION THAT HE WAS RECEIVING IMMEDIATELY BEFORE HIS LAST RESTORATION TO MEMBERSHIP AND THE PENSION THAT MAY HAVE ACCRUED TO HIM AS A NEW MEMBER ON ACCOUNT OF SERVICE SINCE HIS LAST RESTORATION TO MEMBERSHIP, IF THE TOTAL PENSION ON HIS SUBSEQUENT RETIREMENT DOES NOT EXCEED THE RATE PERCENT HE WOULD HAVE RECEIVED HAD HE REMAINED IN SERVICE DURING THE PERIOD OF HIS PRIOR RETIREMENT.

(10) (A) ON THE RECEIPT OF PROPER PROOFS OF THE DEATH OF A MEMBER IN SERVICE, AND IF A BENEFIT IS NOT PAYABLE UNDER PARAGRAPH (C) OF THIS SUBSECTION, THE MEMBER'S PERSONAL REPRESENTATIVE OR THE PERSON THE MEMBER HAS NOMINATED BY WRITTEN DESIGNATION, EXECUTED AND FILED WITH THE BOARD OF TRUSTEES SHALL BE PAID:

(I) THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(II) IF THE MEMBER HAS 1 OR MORE YEARS OF ELIGIBILITY SERVICE, OR DIES IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY, AN AMOUNT EQUAL TO THE MEMBER'S ANNUAL EARNABLE COMPENSATION AT THE TIME OF DEATH.

(B) THE BOARD OF TRUSTEES MAY TAKE THE STEPS NECESSARY TO PROVIDE THE DEATH BENEFIT UNDER THIS SUBSECTION IN THE FORM OF GROUP LIFE INSURANCE, IF, IN THE OPINION OF