

(b) ~~Except as provided in subsection (a) of this section AND SUBJECT TO SUBSECTION (E) OF THIS SECTION, the~~ THE Board of Trustees shall reduce the pension of a retiree on ordinary disability if:

- (1) the retiree is under normal retirement age;
- (2) the medical board certifies in a report to the Board of Trustees that the retiree is employed by a participating employer at an annual compensation that is greater than the difference between:
 - (i) the retiree's retirement allowance at retirement; and
 - (ii) the retiree's average final compensation plus \$5,000;
- (3) the Board of Trustees agrees with the medical board's report; and
- (4) the retiree's allowance has not been temporarily suspended as provided in § 29-115 of this subtitle.

(c) The Board of Trustees shall reduce the pension of a retiree who has been receiving an ordinary disability retirement allowance for:

- (1) less than 10 years, by \$1 for every \$2 that the retiree's current compensation exceeds the limit under subsection (b) of this section; or
- (2) at least 10 years, by \$1 for every \$5 that the retiree's current compensation exceeds the limit under subsection (b) of this section.

(d) The pension to be reduced under this section is the pension at retirement without any cost-of-living adjustment.

~~(E) THE BOARD OF TRUSTEES SHALL, AFTER GIVING NOTICE, TEMPORARILY SUSPEND THE RETIREMENT ALLOWANCE OF A RETIREE UNDER SUBSECTION (B) OF THIS SECTION IF THE RETIREE IS REEMPLOYED IN ANY POSITION OTHER THAN A PROBATIONARY STATUS LAW ENFORCEMENT OFFICER, A LAW ENFORCEMENT OFFICER, OR CHIEF, AS DEFINED IN § 3-101 OF THE PUBLIC SAFETY ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That Chapter 518 of the Acts of the General Assembly of 2005 shall be construed to apply retroactively and shall be applied to and interpreted to affect any individual in the Law Enforcement Officers' Pension System or the State Police Retirement System who began ~~is~~ receiving a disability retirement allowance on or after January 1, 2005.

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any individual who began receiving a disability retirement allowance on or after January 1, 2005, if the individual is a disability retiree of:~~

- (1) ~~the Local Fire and Police System; or~~
- (2) ~~the Employees' Retirement System or the Employees' Pension System who is receiving an ordinary disability retirement allowance, if at the time of~~