

(2) NOT EXCEEDING 10 YEARS FOR PUBLIC OR NONPUBLIC SCHOOL TEACHING SERVICE;

(3) NOT EXCEEDING 5 YEARS FOR POSTSECONDARY SCHOOL TEACHING SERVICE;

[(2)](4) not exceeding 10 years for federal service or out-of-state service with a political subdivision; or

[(3)](5) as an employee of a political subdivision of this State if the employee is not receiving retirement benefits from a political subdivision of the State for the same period of employment.

25-403.

(b) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (a) of this section if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government.

(2) The reduction under paragraph (1) of this subsection shall equal the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance.

(3) The reduction under this subsection does not apply to:

(i) an individual who has been retired for [more than 10 years] 9 YEARS, BEGINNING ON JANUARY 1, AFTER THE DATE THE INDIVIDUAL RETIRES;

(ii) an individual whose average final compensation was less than \$10,000 and who is reemployed on a temporary or contractual basis; or

(iii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit.

28-402.

(b) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (a) of this section if the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance or vested allowance.

(2) The reduction required under paragraph (1) of this subsection shall equal the amount that the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance.