

(II) IF THE MEDICAL BOARD REPORTS AND CERTIFIES TO THE BOARD OF TRUSTEES THAT ANY DISABILITY BENEFICIARY IS ENGAGED IN OR IS ABLE TO ENGAGE IN A GAINFUL OCCUPATION PAYING MORE THAN THE DIFFERENCE BETWEEN HIS OR HER RETIREMENT ALLOWANCE AT THE TIME OF HIS OR HER RETIREMENT AND HIS OR HER AVERAGE FINAL COMPENSATION PLUS \$3,000, AND IF THE BOARD OF TRUSTEES CONCURS IN THE REPORT, THEN THE AMOUNT OF THE PENSION SHALL BE REDUCED.

(III) IF THE BENEFICIARY'S EARNING CAPACITY IS LATER CHANGED, THE AMOUNT OF HIS OR HER PENSION MAY BE FURTHER MODIFIED, PROVIDED THAT THE NEW PENSION MAY NOT EXCEED THE AMOUNT OF THE PENSION ORIGINALLY GRANTED.

(IV) A BENEFICIARY RESTORED TO ACTIVE SERVICE AT A SALARY LESS THAN THE AVERAGE FINAL COMPENSATION UPON THE BASIS OF WHICH HE OR SHE WAS RETIRED SHALL NOT BECOME A MEMBER OF THE RETIREMENT SYSTEM UNTIL HIS OR HER SALARY IS AT LEAST EQUAL TO SUCH AVERAGE FINAL COMPENSATION.

(V) THE AMOUNT OF THE PENSION REDUCTION REQUIRED UNDER SUBPARAGRAPH (II) AND ALLOWED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL BE ONE DOLLAR FOR EVERY TWO DOLLARS BY WHICH HIS OR HER CURRENT COMPENSATION EXCEEDS THE LIMITATION PROVIDED UNDER THIS PARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

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CHAPTER 337

(Senate Bill 460)

AN ACT concerning

Employees' Retirement and Pension Systems - Disability  
Beneficiaries

FOR the purpose of altering--the--maximum--compensation--that--a disability--beneficiary--of--the--Employees'-Retirement-System of--the--State--of--Maryland--or--the--Pension-System--for--Employees of--the--State--of--Maryland--may--receive--before--a--reduction--in the--beneficiary's--retirement--allowance;--altering--the--salary that--a--disability--beneficiary--of--the--Systems--may--receive after--returning--to--active--service--before--becoming--a--member of--the--Systems altering the amount that a disability beneficiary's retirement allowance is reduced when the compensation received by a disability beneficiary of the