

~~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 any optional modification as provided in subsection (12)(a) of this section.} The allowed earnings of a disability beneficiary shall be determined by the difference between his retirement allowance at the time of his retirement and his average final compensation.~~

(a) (I) IN THIS PARAGRAPH, "RETIREMENT ALLOWANCE" MEANS THE ALLOWANCE PAYABLE WITHOUT OPTIONAL MODIFICATION AS PROVIDED IN SUBSECTION (11) OF THIS SECTION.

(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 RETIREMENT ALLOWANCE AT THE TIME OF HIS RETIREMENT AND HIS AVERAGE FINAL COMPENSATION PLUS \$3,000, AND IF THE BOARD OF TRUSTEES CONCURS IN THE REPORT, THEN THE AMOUNT OF HIS PENSION SHALL BE REDUCED.

(III) IF THE BENEFICIARY'S EARNING CAPACITY IS LATER CHANGED, THE AMOUNT OF HIS 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 WAS RETIRED SHALL NOT BECOME A MEMBER OF THE RETIREMENT SYSTEM UNTIL HIS 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 CURRENT COMPENSATION EXCEEDS THE LIMITATION PROVIDED UNDER THIS PARAGRAPH.

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(9) (b) (I) IN THIS PARAGRAPH, "RETIREMENT ALLOWANCE" MEANS THE ALLOWANCE PAYABLE WITHOUT OPTIONAL MODIFICATION AS PROVIDED IN SUBSECTION (12)(A) OF THIS SECTION.

(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 RETIREMENT ALLOWANCE AT THE TIME OF HIS RETIREMENT AND HIS AVERAGE FINAL COMPENSATION PLUS \$3,000, AND IF THE BOARD OF TRUSTEES CONCURS IN THE REPORT, THEN THE AMOUNT OF HIS PENSION SHALL BE REDUCED.