

Defined terms: "Average final compensation" § 20-101

"Board of Trustees" § 20-101

"Medical board" § 20-101

"Normal retirement age" § 20-101

"Pension" § 20-101

"Retiree" § 20-101

"Retirement" § 20-101

"Retirement allowance" § 20-101

29-117. REEMPLOYMENT OF DISABILITY RETIREE.

(A) SALARY LESS THAN AVERAGE FINAL COMPENSATION.

A DISABILITY RETIREE WHO IS REHIRED BY A PARTICIPATING EMPLOYER AT A SALARY LESS THAN THE RETIREE'S AVERAGE FINAL COMPENSATION AT RETIREMENT:

(1) IS ENTITLED TO CONTINUE TO RECEIVE AN ALLOWANCE; BUT

(2) MAY NOT BECOME A MEMBER AGAIN OF THE RETIREE'S FORMER STATE SYSTEM UNTIL THE RETIREE'S SALARY AT LEAST EQUALS THAT AVERAGE FINAL COMPENSATION.

(B) SALARY EQUAL TO OR GREATER THAN AVERAGE FINAL COMPENSATION.

(1) IF A RETIREE WITH A DISABILITY RETIREMENT ALLOWANCE WHO IS UNDER NORMAL RETIREMENT AGE IS RESTORED TO EMPLOYMENT WITH A PARTICIPATING EMPLOYER WITH AN ANNUAL COMPENSATION THAT, BEFORE THE RETIREE REACHES NORMAL RETIREMENT AGE, IS AT LEAST EQUAL TO THE RETIREE'S AVERAGE FINAL COMPENSATION AT RETIREMENT:

(I) THE RETIREE'S ALLOWANCE ENDS;

(II) THE RETIREE AGAIN BECOMES A MEMBER OF THE APPROPRIATE STATE SYSTEM;

(III) PREVIOUS CREDITABLE SERVICE OR ELIGIBILITY SERVICE IS RESTORED; AND

(IV) ON SUBSEQUENT RETIREMENT, THE RETIREE WILL RECEIVE ALL THE SERVICE CREDIT AS A MEMBER CREDITABLE TO THE MEMBER AT RETIREMENT.

(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, A RETIREE OF THE EMPLOYEES' RETIREMENT SYSTEM, TEACHERS' RETIREMENT SYSTEM, STATE POLICE RETIREMENT SYSTEM, OR THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM SHALL MAKE MEMBER CONTRIBUTIONS AT THE SAME RATE THE RETIREE PAID BEFORE DISABILITY.

(C) RESTORATION OF MEMBERSHIP AFTER AGE 50.

(1) THIS SUBSECTION APPLIES ONLY TO A RETIREE OF: