

(II) FOR A RETIREE OR THE DESIGNATED BENEFICIARY OF A RETIREE OF THE STATE POLICE RETIREMENT SYSTEM, THE SUM OF THE RETIREE'S ANNUITY AND THE AMOUNT AUTHORIZED TO BE DEDUCTED FOR HEALTH INSURANCE PREMIUMS.

(C) POSTRETIREMENT ADJUSTMENTS NOT INCLUDED.

(1) THIS SUBSECTION APPLIES TO:

- (I) THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM;
- (II) THE EMPLOYEES' RETIREMENT SYSTEM;
- (III) THE STATE POLICE RETIREMENT SYSTEM; OR
- (IV) THE TEACHERS' RETIREMENT SYSTEM.

(2) THE RETIREMENT ALLOWANCE TO BE REDUCED UNDER THIS SECTION IS THE RETIREMENT ALLOWANCE AT RETIREMENT WITHOUT ANY COST-OF-LIVING ADJUSTMENT AND IS RETROACTIVE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, §§ 2-405, 3-405, 4-405, 5-405, 6-404, 7-405, 8-403, and 10-219.

In subsection (a) of this section, this section is made applicable to designated beneficiaries of retirees of the Local Fire and Police System to conform to the practice of the other systems under this subtitle.

In subsection (b)(1) of this section, the reference to the "Board of Trustees" is added for clarity.

Also in subsection (b)(1) of this section, the reference to "a disability retirement benefit" is substituted for the former references to "any pension allowance" and "any allowance" in light of an Attorney General's opinion that stated that offset requirements apply only to disability retirement benefits payable on account of injuries or occupational disease for which the State must pay workers' compensation. See 73 Op. Atty's Gen. 317 (1988). Similarly, the reference to "related" workers' compensation benefits is added.

In subsection (c)(2) of this section, the former references to "July 1, 1980" and the provision being "retroactive" are deleted as obsolete.

The State Personnel and Pensions Article Review Committee notes, for consideration by the General Assembly, that in subsection (b)(1) of this section, several inconsistencies remain in the application of the offset under this section. Although the respective employers of the membership of the Employees' Pension System and Employees' Retirement System are similar, the offset is applied differently for retirees of the two systems. For retirees of the Employees' Pension System, the offset applies with respect to the retiree's employment by the State or participating employer. For retirees of the Employees' Retirement System, the offset only applies with respect to employment by the State. Similarly, although the respective employers of the