

## Article - State Personnel and Pensions

22-406.

(b) (1) This subsection does not apply to:

(i) a retiree who has been retired for more than 10 years; [or]

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

(III) A RETIREE 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.

(2) The Board of Trustees shall reduce a retiree's retirement allowance by the amount that the sum of the retiree's annual basic allowance, at the time of retirement, and the retiree's annual compensation exceeds the average final compensation used to compute the basic allowance.

22-407.

[(a) This section does not apply to a retiree 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.

(b)] If a member who [has been] WAS restored to membership under [this section] FORMER ARTICLE 73B, § 2-411 OR § 3-408 OF THE CODE elects to transfer to a pension system under § 22-212 of this title, the Board of Trustees shall reduce the member's transfer refund by the amount of the reduction in reserves that would have been made under [subsection (c) of this section] FORMER ARTICLE 73B, § 2-411(B)(5) OR § 3-408(B)(5) OF THE CODE.

23-407.

(b) (1) This subsection does not apply to:

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

(II) A RETIREE 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.

(2) The Board of Trustees shall reduce a retiree's retirement allowance by the amount that the sum of the retiree's annual basic allowance, at the time of retirement, and the retiree's annual compensation exceeds the average final compensation used to compute the basic allowance.

[23-408.

This section does not apply to a retiree 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.]