

(2) If a benefit paid under paragraph (1) of this subsection is less than the benefits provided under this title, the employer, the Subsequent Injury Fund, or both shall provide an additional benefit that equals the difference between the benefit paid under paragraph (1) of this subsection and the benefits provided under this title.

(3) The computation of an additional benefit payable under paragraph (2) of this section shall be done at the time of the initial award and may not include any cost of living adjustment after the initial award.

Article – State Personnel and Pensions

29-118.

(a) (1) [This] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THIS section applies to a retiree and any designated beneficiary.

(2) (I) THIS SECTION DOES NOT APPLY TO A RETIREE OF THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM WHO RECEIVES A DISABILITY RETIREMENT BENEFIT AS A FORMER EMPLOYEE OF A COUNTY BOARD OF EDUCATION OR THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY OR A DESIGNATED BENEFICIARY OF THAT RETIREE.

(II) A RETIREE OF THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM WHO RECEIVES A DISABILITY BENEFIT AS A FORMER EMPLOYEE OF A COUNTY BOARD OF EDUCATION OR THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY OR A DESIGNATED BENEFICIARY OF THAT RETIREE IS SUBJECT TO § 9-610 OF THE LABOR AND EMPLOYMENT ARTICLE.

(b) (1) The Board of Trustees shall reduce a disability retirement benefit by any related workers' compensation benefits paid or payable after the effective date of retirement if the workers' compensation benefits:

(i) are paid or payable while a pension is paid or payable; and

(ii) are for an accidental personal injury or occupational disease arising out of and in the course of the retiree's employment by a participating employer.

(2) A retirement allowance may not be reduced to be less than the sum of the retiree's annuity and the amount authorized to be deducted for health insurance premiums.

(c) The retirement allowance to be reduced under this section is the retirement allowance at retirement without any cost-of-living adjustment and is retroactive.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved April 29, 1997.