

(J) ~~AT THE REQUEST OF THE STATE RETIREMENT AGENCY, A PARTICIPATING EMPLOYER OR PRINCIPAL UNIT OF STATE GOVERNMENT SHALL CERTIFY TO THE STATE RETIREMENT AGENCY THAT IT IS NOT THE SAME PARTICIPATING EMPLOYER OR PRINCIPAL UNIT OF STATE GOVERNMENT THAT EMPLOYED AN INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE OR VESTED ALLOWANCE.~~

(1) A PARTICIPATING EMPLOYER SHALL CERTIFY TO THE STATE RETIREMENT AGENCY THAT IT IS NOT THE SAME PARTICIPATING EMPLOYER THAT EMPLOYED AN INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE; OR

(2) A UNIT OF STATE GOVERNMENT SHALL CERTIFY TO THE STATE RETIREMENT AGENCY THAT THE INDIVIDUAL WAS NOT EMPLOYED BY ANY UNIT OF STATE GOVERNMENT AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE.

25-403.

(a) ~~Subject to subsection (b) of this section, an AN individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in the allowance, if the individual immediately notifies the Board of Trustees:~~

- (1) of the individual's intention to accept the employment; and
- (2) of the compensation that the individual will receive.

(b) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHOSE THE BOARD OF TRUSTEES SHALL REDUCE THE ALLOWANCE OF AN INDIVIDUAL WHO ACCEPTS EMPLOYMENT AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION IF THE INDIVIDUAL'S CURRENT EMPLOYER IS ANY UNIT OF STATE GOVERNMENT AND WHOSE THE INDIVIDUAL'S EMPLOYER AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH THE STATE BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE OR VESTED ALLOWANCE WAS ALSO A UNIT OF STATE GOVERNMENT.

(2) THE REDUCTION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL THE AMOUNT BY WHICH THE SUM OF THE INDIVIDUAL'S INITIAL ANNUAL BASIC ALLOWANCE AND THE INDIVIDUAL'S ANNUAL COMPENSATION EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE.

(2) (3) ~~This subsection~~ THE REDUCTION UNDER THIS SUBSECTION does not apply to:

- (i) an individual who has been retired for more than 10 years;