

(2) IF THE RETIREE IS RESTORED TO MEMBERSHIP AFTER THE ATTAINMENT OF AGE 50, THE RETIREE'S PENSION UPON SUBSEQUENT RETIREMENT SHALL NOT EXCEED THE PENSION WHICH THE RETIREE WAS RECEIVING IMMEDIATELY PRIOR TO THE RETIREE'S LAST RESTORATION TO MEMBERSHIP AND THE PENSION THAT MAY HAVE ACCRUED TO THE RETIREE AS A NEW MEMBER ON ACCOUNT OF SERVICE SINCE THE RETIREE'S LAST RESTORATION TO MEMBERSHIP.

COMMITTEE NOTE: Subsections (e), (f), and (g) of this section formerly appeared as Art. 73B, § 11(8).

In subsection (e)(1) the phrase "and upon his application shall" is deleted as unnecessary.

The only other changes are stylistic.

(H) A PERSON WHO RETIRES ON AND AFTER JULY 1, 1982 AND IS RECEIVING DISABILITY BENEFITS SHALL PROVIDE MEDICAL AND EARNINGS INFORMATION ON AN ANNUAL BASIS AS THE BOARD OF TRUSTEES MAY REQUEST. IF THE PERSON REFUSES TO SUBMIT THE INFORMATION REQUESTED BY THE BOARD THE PERSON'S RETIREMENT ALLOWANCE SHALL BE SUSPENDED FOR THE PERIOD OF REFUSAL.

COMMITTEE NOTE: This subsection formerly appeared as Art. 73B, § 11(8a).

(I) (1) THE BOARD OF TRUSTEES MAY ACCEPT AN APPLICATION FOR ORDINARY OR ACCIDENTAL DISABILITY RETIREMENT FROM A FORMER MEMBER IF:

(I) THE FORMER MEMBER PROVES TO THE SATISFACTION OF THE MEDICAL BOARD THAT FAILURE TO MAKE APPLICATION WHILE A MEMBER WAS ATTRIBUTABLE SOLELY TO PHYSICAL OR MENTAL INCAPACITY DURING THE FILING PERIOD; AND

(II) THE APPLICATION IS FILED NOT MORE THAN 36 MONTHS AFTER THE MONTH IN WHICH MEMBERSHIP TERMINATED.

(2) IF THE APPLICATION OF A FORMER MEMBER IS ACCEPTED AND A DISABILITY RETIREMENT IS GRANTED, THE RETIREMENT ALLOWANCE SHALL COMMENCE AS OF THE FIRST DAY OF THE MONTH FOLLOWING RECEIPT OF THE APPLICATION.

COMMITTEE NOTE: This subsection formerly appeared as Art. 73B, § 11(8b).

2-405. EFFECT OF WORKERS' COMPENSATION BENEFITS.

ANY PENSION ALLOWANCE SHALL BE REDUCED BY THE AMOUNT OF ANY WORKERS' COMPENSATION BENEFITS PAID OR PAYABLE AFTER THE EFFECTIVE DATE OF RETIREMENT ON ACCOUNT OF AN ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL DISEASE ARISING OUT OF AND IN THE COURSE OF THE RETIREE'S EMPLOYMENT BY THE STATE IF