

1. ~~THE SECRETARY OF BUDGET AND FISCAL PLANNING, FOR AN EXECUTIVE BRANCH EMPLOYEE; THE BOARD OF PUBLIC WORKS, FOR A POSITION NOT IN THE LEGISLATIVE BRANCH; OR~~

2. THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF DELEGATES, FOR A ~~LEGISLATIVE BRANCH EMPLOYEE; OR~~

3. ~~THE CHIEF JUDGE OF THE COURT OF APPEALS, FOR A JUDICIAL BRANCH EMPLOYEE~~ POSITION IN THE LEGISLATIVE BRANCH.

(III) IF A RETIREE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IS REEMPLOYED IN A TEMPORARY OR CONTRACTUAL POSITION WITH THE STATE, A LOCAL SCHOOL SYSTEM, LIBRARY, COMMUNITY COLLEGE, OR PARTICIPATING MUNICIPAL CORPORATION:

1. ~~THE RETIREE SHALL REIMBURSE THE BOARD OF TRUSTEES THE AMOUNT OF ANY LUMP SUM PAYMENT UNDER § 2-401.1 OF THIS SUBTITLE; AND~~

2. , IN ADDITION TO ANY REDUCTION IN THE RETIREE'S RETIREMENT ALLOWANCE REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE RETIREE'S RETIREMENT ALLOWANCE SHALL BE REDUCED BY THE AMOUNT IT EXCEEDS THE RETIREMENT ALLOWANCE THE RETIREE WOULD HAVE RECEIVED IF THE RETIREE HAD RETIRED UNDER § 2-401 OR § 2-402 OF THIS SUBTITLE.

(b) If a retiree from this retirement system is reemployed in a permanent position with the State, local school system, library, community college, or a participating municipal corporation:

(1) The retiree's retirement shall be canceled;

(2) The retirement allowance payments shall terminate after the last day of the month preceding the date of return to active service and the individual shall become a member of the Employees' Retirement System of the State of Maryland or the Teachers' Retirement System of the State of Maryland as applicable to the position;

(3) All previous creditable service shall be restored to the account of the member EXCEPT FOR ANY ADDITIONAL SERVICE CREDIT USED TO CALCULATE A RETIREMENT ALLOWANCE UNDER § 2-401.1 OF THIS SUBTITLE;

(4) The member shall be credited with service performed from the date of reemployment to the date of the member's later retirement; and

(5) Upon later retirement or death in active service, the member's reserves shall be reduced by the total amount of payments made to the member during the member's earlier retirement, unless the system is reimbursed for such payments by the member.