

**§18542. Disability under formerly available disability plans after October 16, 1992**

In the case of a participating local district having a Participating Local District Retirement Program disability plan other than that provided by article 3 or 3-A, which plan is in force on October 15, 1992, the following provisions apply on and after October 16, 1992: [PL 2007, c. 491, §248 (AMD).]

**1. Eligibility.** A member who is an employee of the district who applies for a disability retirement benefit after the effective date of the member's election to be covered under the plan as amended to meet the requirements of the federal Older Workers Benefit Protection Act is eligible to apply regardless of the member's age at time of application; [PL 1991, c. 887, §19 (NEW).]

**2. Ordinary disability allowance.** In the case of ordinary disability under such a plan, the disability retirement allowance must be calculated as provided under the plan except that until July 1, 1996 the amount of the retirement allowance may not exceed 59% of the member's average final compensation at the time of disability retirement; and [PL 1993, c. 595, §13 (AMD).]

**3. Occupational disability allowance.** In the case of occupational disability under such a plan, the disability retirement allowance is, until July 1, 1996, equal to 59% of the member's average final compensation at the time of disability retirement. [PL 1993, c. 595, §13 (AMD).]

**SECTION HISTORY**

PL 1991, c. 887, §19 (NEW). PL 1993, c. 595, §13 (AMD). PL 2007, c. 491, §248 (AMD).

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