§ 212. Employment of retired persons. 1. Notwithstanding the provisions of section one hundred one, two hundred eleven or four hundred one of this chapter or of section five hundred three of the education law, or the provisions of any local law or charter, any retired person may continue as retired and, without loss, suspension or diminution of his or her retirement allowance, earn in a position or positions in public service in any calendar year an amount not exceeding the amount set forth in the table in subdivision two of this section provided such retired person employed under this section duly executes and files with the retirement system from which he or she is receiving a retirement allowance a statement that he elects to have the provisions of this section apply to him or her. A statement of election executed and filed pursuant to this section may be withdrawn by a retired person at any time by a statement similarly executed and filed. However, there shall be no earning limitations under the provisions of this section on or after the calendar year in which any retired person attains age sixty-five. The retirement board of the New York state teachers' retirement system is authorized to adopt rules and regulations which would allow retired persons receiving a retirement allowance from such system to make such statements of earnings from a position or positions in public service as such board shall determine necessary to enforce the provisions of this section in lieu of the foregoing statement of election.

2. The earning limitations for retired persons in positions of public service under this section shall be in accordance with the following table:

For the year	Earnings limitation
1996	$12,500
1997	$13,500
1998	$14,500
1999	$15,500
2000	$17,000
2001	$18,500
2002	$20,000
2003	$25,000
2004	$27,500

2005 and 2006	$27,500
2007 through 2019	$30,000
2020 and thereafter	$35,000

3. Notwithstanding the provisions of subdivisions one and two of this section, the commissioner of education may determine, pursuant to section two hundred eleven of this article, that such earnings limitations shall not apply to a retired police officer employed by a school district as a school resource officer.