



1 service and becomes incapacitated for duty as the natural and proximate result of an accident  
2 occurring while in the actual performance of duty, and meets all other requirements for  
3 disability retirement benefits, may be retired by the Board of Trustees on a disability retirement  
4 allowance.

5 Notwithstanding the foregoing to the contrary, any beneficiary who commenced retirement  
6 with an early or service retirement benefit has the right, within three years of his retirement, to  
7 convert to an allowance with disability retirement benefits without modification of any election  
8 of optional allowance previously made; provided, the beneficiary would have met all applicable  
9 requirements for disability retirement benefits while still in service as a member. The allowance  
10 on account of disability retirement benefits to the beneficiary shall be retroactive to the  
11 effective date of early or service retirement.

12 Notwithstanding the foregoing, effective April 1, 1991, the surviving designated  
13 beneficiary of a deceased member who met all other requirements for disability retirement  
14 benefits, except whose death occurred before the first day of the calendar month in which the  
15 member's disability retirement allowance was to be due and payable, may elect to receive the  
16 reduced retirement allowance provided by a one hundred percent (100%) joint and survivor  
17 payment option in lieu of a return of accumulated contributions, provided the following  
18 conditions apply:

- 19 (1) The member had designated as the principal beneficiary, to receive a return  
20 of accumulated contributions at the time of his death, one and only one  
21 person, and
- 22 (2) The member had not instructed the Board of Trustees in writing that he did  
23 not wish the provision of this subsection to apply."

24 **SECTION 2.** This act becomes effective July 1, 2011.