

and that such member should be retired.

(6) Upon the application of a member [in service], or of the head of his department, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without wilful negligence on his part, shall be retired by the board of trustees, provided that the medical board shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. No beneficiary entitled to an accidental disability retirement allowance shall receive any allowance on account of ordinary disability.

SECTION 2. AND BE IT FURTHER ENACTED, That Sections 195(1)(a), 195(3), and 195(4A) of Article 77 of said Code (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Chapter 17. Teachers' Retirement System," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

195.

(1)

(a) Any member [in service] may retire upon written application to the board of trustees setting forth at what time [, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof,] he desires to be retired, provided that the said member at the time so specified for his retirement shall have attained the age of sixty (60) or shall have rendered twenty-five (25) years of creditable service as a teacher and notwithstanding that, during such period of notification, he may have separated from service.

(3) Upon the application of a member [in service] or of his State or county superintendent of schools, any member who has had five or more years of creditable service may be retired by the board of trustees [, not less than thirty and not more than ninety days next following the date of filing such application,] on a disability retirement allowance, provided that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

(4A) Upon the application of a member [in service,] or of his State or county superintendent of schools, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without willful negligence on his part, shall be retired by the board of trustees, provided that the medical board shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. No beneficiary entitled to an accidental disability retirement allowance shall receive any allowance on account of ordinary disability.

SECTION 3. AND BE IT FURTHER ENACTED, That Sections 53(1)(a), 53(3), and 53(5) of Article 88B of said Code (1969 Replacement Volume), title "State Police," subtitle "State Police Retirement System," be and they are hereby repealed and re-enacted, with amendments, to read as follows: