

THE BOARD OF TRUSTEES, THAT PROVISION WOULD ALLOW A MORE FAVORABLE TAX TREATMENT OF THE BENEFIT TO THE BENEFICIARIES.

(C) IF THE MEMBER AT THE TIME OF HIS DEATH WAS AT LEAST 55 YEARS OLD AND HAD COMPLETED 15 YEARS OF ELIGIBILITY SERVICE OR WAS 62 YEARS OLD OR OLDER AND, IN EITHER EVENT, HAD NOMINATED HIS SURVIVING SPOUSE AS THE SOLE PRIMARY BENEFICIARY TO WHOM THE DEATH BENEFIT UNDER PARAGRAPH (A) OF THIS SECTION WOULD BE PAID, THE SURVIVING SPOUSE MAY ELECT TO RECEIVE, INSTEAD OF A LUMP SUM DEATH BENEFIT, AN ALLOWANCE EQUAL TO THE ALLOWANCE THAT SHE WOULD HAVE RECEIVED HAD THE MEMBER:

(I) BEEN ELIGIBLE TO RETIRE;

(II) RETIRED 30 DAYS BEFORE HIS DEATH; AND

(III) ELECTED OPTION 2, WITH HIS SPOUSE AS THE PERSON NOMINATED.

(11) IF A MEMBER CEASES TO BE A TEACHER EXCEPT BY DEATH OR BY RETIREMENT UNDER THIS SUBTITLE, HE SHALL BE PAID THE AMOUNT OF HIS ACCUMULATED CONTRIBUTIONS.

(12) (A) INSTEAD OF THE DISABILITY OR SERVICE ALLOWANCES PAYABLE UNDER THE AFORESAID PROVISIONS, ANY MEMBER BEFORE THE FIRST RETIREMENT ALLOWANCE PAYMENT NORMALLY BECOMES DUE, MAY ELECT A RETIREMENT ALLOWANCE OF EQUIVALENT ACTUARIAL VALUE IN ONE OF THE OPTIONAL FORMS SET OUT IN THIS SUBSECTION. THE ELECTION OF THE OPTION SHALL BE MADE ON THE FORM PROVIDED FOR THAT PURPOSE AND SHALL BE FILED WITH THE BOARD OF TRUSTEES. IF A MEMBER DIES PRIOR TO THE EFFECTIVE DATE OF RETIREMENT, THE ELECTION SHALL BE VOID, AND THE BENEFITS PAYABLE ON HIS ACCOUNT SHALL BE THE SAME AS THOUGH HIS ELECTION HAD NOT BEEN FILED AND HE HAD DIED IN ACTIVE SERVICE. A MEMBER WHO HAS ELECTED AN OPTIONAL BENEFIT MAY CHANGE THIS ELECTION BY NOTIFYING THE BOARD OF TRUSTEES, BUT A CHANGE MAY NOT BE MADE AFTER THE FIRST PAYMENT OF HIS ALLOWANCE NORMALLY BECOMES DUE.

OPTION 1. IF A MEMBER DIES BEFORE HE HAS RECEIVED IN PAYMENTS THE PRESENT VALUE OF HIS RETIREMENT ALLOWANCE AS IT WAS AT THE TIME OF HIS RETIREMENT, THE BALANCE SHALL BE PAID TO HIS PERSONAL REPRESENTATIVE OR TO THE PERSON HE HAS MOST RECENTLY NOMINATED BY WRITTEN DESIGNATION, ACKNOWLEDGED AND FILED WITH THE BOARD OF TRUSTEES.

OPTION 2. ON THE DEATH OF A MEMBER, HIS REDUCED RETIREMENT ALLOWANCE SHALL BE CONTINUED THROUGHOUT THE LIFE OF AND PAID TO THE PERSON HE HAS NOMINATED BY WRITTEN DESIGNATION, ACKNOWLEDGED AND FILED WITH THE BOARD OF TRUSTEES AT THE TIME OF HIS RETIREMENT.

OPTION 3. ON THE DEATH OF A MEMBER, ONE-HALF OF HIS REDUCED RETIREMENT ALLOWANCE SHALL BE CONTINUED THROUGHOUT THE LIFE OF AND PAID TO THE PERSON HE HAS NOMINATED BY WRITTEN DESIGNATION, ACKNOWLEDGED AND FILED WITH THE BOARD OF TRUSTEES AT THE TIME OF HIS RETIREMENT; OR