

OCCURS WHILE IN THE ACTUAL PERFORMANCE OF DUTY AT SOME DEFINITE TIME AND PLACE, WITHOUT WILLFUL NEGLIGENCE ON THE MEMBER'S PART, SHALL BE RETIRED BY THE BOARD OF TRUSTEES IF THE MEDICAL BOARD CERTIFIES THAT THE MEMBER IS MENTALLY OR PHYSICALLY INCAPACITATED FOR THE FURTHER PERFORMANCE OF THE NORMAL DUTIES OF THE MEMBER'S POSITION, THAT THE INCAPACITY IS LIKELY TO BE PERMANENT, AND THE MEMBER SHOULD BE RETIRED. A BENEFICIARY WHO IS ENTITLED TO AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE MAY NOT RECEIVE ANY ALLOWANCE ON ACCOUNT OF ORDINARY DISABILITY.

(2) A MEMBER MAY NOT RECEIVE AN ACCIDENTAL DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THIS PENSION SYSTEM, EXCEPT TO THE EXTENT THAT A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE EMPLOYEES' RETIREMENT SYSTEM OR THE PENSION SYSTEM FOR EMPLOYEES SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE SYSTEM FROM WHICH THE MEMBER TRANSFERRED.

(I) ON RETIREMENT FOR ACCIDENTAL DISABILITY, A MEMBER SHALL RECEIVE AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE THAT SHALL CONSIST OF:

(1) AN ANNUITY THAT SHALL BE THE ACTUARIAL EQUIVALENT OF THE MEMBER'S ACCUMULATED CONTRIBUTIONS AT THE TIME OF THE MEMBER'S RETIREMENT; AND

(2) A PENSION OF 66 $\frac{2}{3}$ PERCENT OF THE MEMBER'S AVERAGE FINAL COMPENSATION, BUT THE MEMBER'S TOTAL ACCIDENTAL RETIREMENT ALLOWANCE MAY NOT EXCEED THE MEMBER'S AVERAGE FINAL COMPENSATION.

(J) THE PROVISIONS OF § 117(9), (9A), AND (9B) OF THIS ARTICLE SHALL BE APPLICABLE TO DISABILITY BENEFICIARIES OF THIS PENSION SYSTEM.

(K) UPON THE RECEIPT OF PROPER PROOFS OF THE DEATH OF A MEMBER IN SERVICE, THERE SHALL BE PAID TO THE MEMBER'S ESTATE OR TO ANY PERSON HAVING AN INSURABLE INTEREST IN THE LIFE OF THE DECEASED THAT THE MEMBER HAS NOMINATED BY WRITTEN DESIGNATION DULY EXECUTED AND FILED WITH THE BOARD OF TRUSTEES:

(1) THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(2) IF THE MEMBER HAS MORE THAN 1 YEAR OF CREDITABLE SERVICE, AN AMOUNT EQUAL TO THE MEMBER'S ANNUAL EARNABLE COMPENSATION AT THE TIME OF DEATH.

(L) (1) UPON THE RECEIPT OF PROPER PROOFS OF THE DEATH OF A MEMBER IN SERVICE WHO HAD MORE THAN 2 YEARS OF CREDITABLE SERVICE AND WHOSE DEATH AROSE OUT OF OR IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY WITHOUT WILLFUL NEGLIGENCE ON THE PART OF THE DECEASED, AND UPON THE FINDING AND CERTIFICATION BY THE BOARD