§ 539. Certain actions by retiring members. 1. Notwithstanding any law to the contrary, this section shall apply to any member of the system who is otherwise eligible to retire pursuant to the provisions of this article or pursuant to article fourteen or fifteen of the retirement and social security law.

2. Subject to the limitations in subdivisions three and four of this section, a member shall be retired for service or with a deferred retirement allowance, as requested by the member, upon or on a date after the filing of a retirement application with the retirement system.

3. A member shall not file for service retirement or for a deferred retirement allowance any earlier than ninety days prior to the date on which the member desires to be retired.

4. A member shall not be retired under any provision of law until the member has ceased to be paid on the payroll of an employer participating in the retirement system. In the case of a member who has the right to retire for disability under article fourteen of the retirement and social security law, disability retirement shall not commence any earlier than the date on which primary social security disability benefits commence.

5. A member may retroactively withdraw his or her retirement for service or with a deferred retirement allowance by filing a revocation of retirement no later than fourteen days following the date upon which the member was retired. The retirement system shall have no obligation to make any payment on account of any service retirement or deferred retirement allowance during said period.

6. An option selection duly filed by the member with the retirement system shall become effective upon retirement. Notwithstanding the foregoing, a member who has been retired for service or with a deferred retirement allowance may file an option selection or change or withdrawal of an option selection previously filed no later than thirty days following the date on which the member has retired; a member who has been retired for disability may file an option selection or a change

or withdrawal of an option selection previously filed no later than (i) thirty days following the date on which such member's application for disability retirement was approved by the retirement board or (ii) thirty days following the date on which the member was retired for disability, whichever is later.

7. A member subject to the provisions of this article who has accumulated contributions credited to the member's individual account in the annuity savings fund may elect to withdraw such contributions pursuant to subdivision six of section five hundred sixteen of this article within the period provided in subdivision six of this section for the selection, change or withdrawal of an option selection.