§ 207-f. Ordinary death benefits of members of fire department systems of cities. 1. As used in this section:

(a) "Member" means a contributor to the pension system of any city maintaining a fire department pension fund based upon the accumulation of deductions from the compensation or the contributions of the members thereof and payments made by such cities to pension reserves for such members.

(b) "Death" means ordinary death not caused in or induced by injuries suffered in the line of duty, or as a direct result of service in the fire department.

(c) "Pension" shall mean payments for life derived from appropriations for and payments into such pension system by such city.

(d) "Minimum period of service" shall mean a fixed number of years of service specified in a plan provided by such fire department pension system and elected by such member, as a necessary pre-requisite for a pension or retirement allowance upon retirement from service.

(e) "Minimum age" means the age specified in a plan provided by such fire department pension system and elected by such member, as a necessary pre-requisite for a pension or retirement allowance upon retirement from service.

2. Any member who shall have attained the minimum age or period of service retirement elected by him upon his own written application to and filed with the pension board setting forth at what time he desires to be retired shall be retired as of the date specified in said application, provided that at the time so specified for his retirement, his term or tenure of office or employment shall not have terminated or have been forfeited.

3. Notwithstanding other provisions of any rules or regulations adopted by the pension board, or any provisions of law to the contrary, a member eligible for retirement by reason of service may file with such pension board a written application for retirement in the form required for such application, electing an option or options where such options are provided under existing pension laws, but requesting that such retirement under said option or options shall become effective on the day immediately preceding his death. The application shall be held by

such pension board until the member shall file a later application for retirement, or until his death, whichever of such events shall first occur; and in the event of such member's death while such application shall continue to be so held by such pension board, his said retirement shall become effective with the same benefits to the designated beneficiary as if such member had retired and had become entitled to retirement allowance on the day immediately preceding his death.

In the event that a member, who would be eligible for retirement by reason of service, dies while in service before filing with such pension board an application for retirement in the form required for such application, or who, having filed an application for retirement in the form required, dies on or after the effective date of his retirement but before becoming entitled to retirement allowance, he shall nevertheless be deemed to have been retired and to have become entitled to a retirement allowance effective on the day immediately preceding his death; and if he had not indicated his election of an option under which he desired to be retired, he shall be considered as having elected to retire under the option designated as Option 1 if such option is provided for in the present pension law.

4. The provisions of this section shall not apply to members of the New York state and local police and fire retirement system.