§ 440. Application. a. Notwithstanding any other provision of law, but subject to the provisions of subdivisions c and d of this section, the provisions and limitations of this article shall apply, as may be appropriate, to all members who join or rejoin a public retirement system of the state or of a municipality thereof, and to all employees who would be eligible to join such a retirement system but in lieu thereof elected an optional retirement program to which their employers are thereby required to contribute, on or after July first, nineteen hundred seventy-three, but prior to July first, nineteen hundred seventy-six. In the event that there is a conflict between the provisions of this article and the provisions of any other law or code, the provisions of this article shall govern.

b. The provisions of this article shall not be construed to extend coverage to an employee not otherwise eligible for membership in a retirement system or to provide an increase in benefits to a member of a retirement system other than as provided by section four hundred forty-five-d, or section four hundred forty-five-f, or section four hundred forty-five-h or section four hundred forty-eight of this article.

c. Notwithstanding any other provision of law, the provisions and limitations of this article shall apply, as may be appropriate, to all police officers and firefighters who last joined a public retirement system of the state or a municipality thereof, on or after July first, nineteen hundred seventy-six, but prior to July first, two thousand nine, and all employees subject to the provisions of article twenty-two of this chapter; provided, however, that in the case of a conflict between the provisions of this article and article twenty-two of this chapter, the provisions of article twenty-two shall be controlling.

d. Notwithstanding the provisions of subdivision a of this section, members who were employed by the New York city board of education and assigned during the first fifteen days of the school term to a position which is expected to be vacant for that term and who were employed in one of the three school years immediately prior to July first, nineteen hundred seventy-three in a position which did not entitle them to apply

for membership in a public retirement system and who first joined the New York city teachers' retirement system subsequent to June thirtieth, nineteen hundred seventy-three but prior to June thirtieth, nineteen hundred seventy-six shall have all the rights, benefits and privileges applicable to employees who were members of such system on June thirtieth, nineteen hundred seventy-three provided they make written application, duly executed and filed with the New York city teachers' retirement board prior to July first, nineteen hundred eighty-nine.

d-1. Notwithstanding the provisions of subdivision a of this section, members who were employed by the New York city board of education as regular substitute teachers when assigned as such and members who were employed by the New York city board of education and assigned during the school year to a position which was expected to be vacant for that school year, such members having been employed for a period of not less than twenty school days during such school year in a position which did not entitle them to apply for membership in a public retirement system and who first joined the New York city teachers' retirement system or the New York state teachers' retirement system prior to June thirtieth, nineteen hundred seventy-six shall have all the rights, benefits and privileges to which they would have been entitled had their current membership begun on the date their original service commenced, provided they make written application, duly executed and filed with the retirement system in which they are members on or before June thirtieth, two thousand three.

e. Notwithstanding any other provision of law to the contrary, the provisions and limitations of this article shall apply, as may be appropriate, to all investigator members of the New York city employees' retirement system who last joined such retirement system on or after July first, nineteen hundred seventy-six, and prior to the effective date of the chapter of the laws of two thousand twelve which amended this subdivision.