§ 89-e. Retirement of correction officers of the Westchester county correction department; alternative eligibility for retirement. a. Any member who is a correction officer of the Westchester county correction department shall be eligible to retire pursuant to the provisions of this section. In addition, any correction officer who is appointed to the title of deputy commissioner and who, while a correction officer and prior to such appointment to the title of deputy commissioner, elected to participate in the plan established pursuant to this section may elect, upon such appointment to the title of deputy commissioner, to continue to participate in the plan established pursuant to this section. Such eligibility shall be an alternative to the eligibility provisions available under any other plan of this article to which such member is subject. The chief executive officer of such county shall certify to the comptroller, in a manner and at such intervals as the comptroller may require, the identity of such eligible correction officers, including any eligible deputy commissioners.

b. Such member shall be entitled to retire upon the completion of twenty-five years of total creditable service by filing an application therefor in the manner provided for in section seventy of this article.

c. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement and an additional pension which is the actuarial equivalent of the reserved-for-increased-take-home-pay to which he may then be entitled shall be sufficient to provide him with a retirement allowance equal to one-half of his final average salary.

d. As used in this section "creditable service" shall include any and all services performed as a correction officer of Westchester county.

e. Credit for service as a member or officer of the state police or as a paid firefighter, police officer or officer of any organized fire department or police force or department of any county, city, village, town, fire district or police district, or as a criminal investigator in

the office of a district attorney, provided that service as such investigator shall have been rendered prior to January first, nineteen hundred sixty and that credit therefor shall not exceed five years, shall also be deemed to be creditable service and shall be included in computing years of total service for retirement pursuant to this section, provided such service was performed by the member while contributing to the retirement system pursuant to the provisions of this article or article eight of this chapter.

f. A member contributing on the basis of this section at the time of retirement, shall retire after the completion of twenty-five years of total creditable service. Application therefor may be filed in a manner similar to that provided in section seventy of this article. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement and an additional pension which is the actuarial equivalent of the reserve-for-increased-take-home-pay to which he may then be entitled shall be sufficient to provide him with a retirement allowance equal to one-half of his final average salary.

g. In computing the twenty-five years of total service of a member pursuant to this section full credit shall be given and full allowance shall be made for service of such member in time of war after World War I as defined in section two of this chapter, provided such member at the time of his entrance into the armed forces was in the service of the county of Westchester.

h. Nothing herein shall be construed to prevent a member, who does not retire pursuant to the provisions of this section, from utilizing service which is creditable service pursuant to the provisions of this section for service credit pursuant to the provisions of any other plan of this article to which such member is subject.

i. The provisions of this section shall be controlling notwithstanding any other provision in this article to the contrary.

j. As used in this section, "correction officer" of the Westchester county correction department means a correction officer, correction officer-sergeant, correction officer-captain, assistant warden, associate warden or warden.

k. Notwithstanding any provision of law to the contrary, where a correction officer would have been entitled to retire pursuant to this section at the time of his or her death and where his or her death occurs on or after the effective date of the chapter of the laws of two thousand twenty-three that added this subdivision, the beneficiary or beneficiaries may elect to receive, in a lump sum, an amount payable which shall be equal to the pension reserve that would have been established had the member retired on the date of his or her death, or the value of the death benefit and the reserve-for-increased-take-home-pay, if any, whichever is greater.