

742-3-11

**Decision deadlines/non-COLA benefit.**

- (A) A member of the fund who is eligible to make the election under division (D) of section 742.3716 of the Revised Code shall be given notice of such choice. If a member of the fund who is eligible to make such election fails to make a decision within sixty days of being notified of the exact pension or benefit amount payable, then such member shall be deemed conclusively not to have exercised the election under division (D) of section 742.3716 of the Revised Code and the pension or benefit shall be paid accordingly.
- (B) Notwithstanding rule 742-3-07 of the Administrative Code, a member of the fund who has been notified in writing of the actuarial equivalent of the member's retirement allowance shall have sixty days to return to the fund completed annuity agreement forms or to request a modified payment plan. If the member fails to file completed annuity agreement forms or a written request for a modified payment plan within the aforesaid sixty day period, then such member shall be deemed conclusively to have consented to the optional plan selected.
- (C) A member of the fund is deemed to consent to the deduction of unpaid employee contributions required under section 742.31 of the Revised Code from any pension or benefit payable under section 742.37 or 742.39 of the Revised Code.

Five Year Review (FYR) Dates: 1/5/2018 and 01/05/2023

CERTIFIED ELECTRONICALLY

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Certification

01/05/2018

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Date

Promulgated Under: 111.15  
Statutory Authority: 742.10  
Rule Amplifies: 742.3716, 742.31  
Prior Effective Dates: 12/19/1997 (Emer.), 03/31/1998, 07/31/2003,  
01/07/2013 (Emer.), 02/04/2013