

742-3-23

**Spousal consent/designation of multiple beneficiaries.**

- (A) As provided in division (D)(1) of section 742.3711 of the Revised Code, spousal consent to a member's plan of payment shall not be required if the member is required to elect a plan of payment pursuant to a court order issued under section 3105.171 or 3105.65 of the Revised Code or the laws of another state regarding the division of marital property.
- (B) A member's current spouse must consent to the election of a plan of payment described in division (A)(4) of section 742.3711 of the Revised Code if either of the following applies:
- (1) The member selects a plan of payment described in division (A)(4) of section 742.3711 of the Revised Code, but Ohio police and fire pension fund's records reflect that the member is not subject to a court order issued under section 3105.171 or 3105.65 of the Revised Code or the laws of another state regarding the division of marital property that requires the member to make such an election;
  - (2) The member is ordered to designate the former spouse as a beneficiary of a specified portion of the benefit, but also designates a beneficiary or beneficiaries other than the current spouse under that plan of payment.

Five Year Review (FYR) Dates: 5/31/2018 and 05/31/2023

CERTIFIED ELECTRONICALLY

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Certification

05/31/2018

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Date

Promulgated Under:	111.15
Statutory Authority:	742.10
Rule Amplifies:	742.3711
Prior Effective Dates:	03/14/2008