

742-7-07

Pre-retirement survivor annuity.

(A) The board will authorize payment of the benefits created by section 742.3714 of the Revised Code when the board determines that:

(1) A deceased or former member was, on the date of death, eligible to retire and to receive an immediate pension under division (C)(1) or (C)(3) of section 742.37 of the Revised Code, but had not retired because he/she had not severed employment as a police officer or fire fighter; and

(2) The deceased member is survived by a spouse or "contingent dependent beneficiary" eligible to receive the benefit. ~~If the decedent had died prior to the effective date of section 742.3714 of the Revised Code, an annuity shall be paid to a surviving spouse who has remarried.~~

(B) A "contingent dependent beneficiary" is eligible to receive the benefits provided by section 742.3714 of the Revised Code if, on the date of the member's death, the "contingent dependent beneficiary":

(1) Can show that he/she was dependent upon the member for at least fifty per cent of his or her annual income; and

(2) Had been designated as a "contingent dependent beneficiary" on a form provided by the board that was properly executed by the member.

(C) Annually, the board shall make reasonable efforts to notify all members who are eligible to name a "contingent dependent beneficiary" of their right to do so. A form to designate a "contingent dependent beneficiary" shall be made available to a member upon request, with the understanding that the notice will be sent to the most recent address on file with Ohio police and fire pension fund ("OP&F"). The form is properly executed only when it has been completed and signed by the member, notarized, and received by OP&F ~~the police and firemen's disability and pension fund~~ at its office. A member may designate only one person to be a "contingent dependent beneficiary." A member may change the designation at any time by completing a new form; only the latest dated designation will ~~can~~ be effective. No person is a "contingent dependent beneficiary" eligible to receive benefits, unless OP&F has a properly executed form on file as of ~~on~~ the date of the member's death, ~~a properly executed form is on file with the police and firemen's disability and pension fund.~~

(D) A surviving spouse, or "contingent dependent beneficiary" determined by the board to be eligible for the benefits provided by section 742.3714 of the Revised Code, shall be treated in all respects as if receiving benefits under the option two plan of division (A) of section 742.3711 of the Revised Code providing one-half of the

member's reduced retirement allowance.

Effective: 05/17/2007

R.C. 119.032 review dates: 03/01/2007 and 05/17/2012

CERTIFIED ELECTRONICALLY

Certification

05/07/2007

Date

Promulgated Under: 111.15
Statutory Authority: 742.10
Rule Amplifies: 742.3711, 742.3714
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