

**As Passed by the House**

**130th General Assembly  
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**Sub. H. B. No. 162**

**Representatives Dovilla, Anielski**

**Cosponsors: Representatives Buchy, Thompson, Hackett, Ruhl, Grossman,  
Becker, Patmon, Baker, Johnson, Hagan, C., Perales, Antonio, Blair, Brown,  
Budish, Burkley, Carney, Conditt, Derickson, DeVitis, Green, Hall, Hayes,  
McClain, Romanchuk, Rosenberger, Smith, Sprague, Terhar, Wachtmann,  
Winburn, Young Speaker Batchelder**

—

**A B I L L**

To amend sections 145.27, 145.572, 145.573, 145.581, 1  
742.41, 742.463, 742.464, 742.53, 2329.66, 2  
2901.43, 2929.192, 2929.193, 3305.08, 3305.11, 3  
3305.12, 3305.20, 3307.20, 3307.372, 3307.373, 4  
3309.22, 3309.672, 3309.673, 3309.691, 5505.04, 5  
5505.262, 5505.263, and 5505.33, and to enact 6  
sections 2901.432, 2901.433, 2901.434, and 2927.28 7  
of the Revised Code to add extortion and perjury 8  
and certain federal offenses to the offenses 9  
committed by a public retirement system member in 10  
the context of the member's public employment in a 11  
position of honor, trust, or profit that may 12  
result in forfeiture of retirement system benefits 13  
or the termination of retirement system disability 14  
benefits and to make the establishment of a long 15  
term care insurance program by a public retirement 16  
system discretionary. 17

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 145.27, 145.572, 145.573, 145.581, 18  
742.41, 742.463, 742.464, 742.53, 2329.66, 2901.43, 2929.192, 19  
2929.193, 3305.08, 3305.11, 3305.12, 3305.20, 3307.20, 3307.372, 20  
3307.373, 3309.22, 3309.672, 3309.673, 3309.691, 5505.04, 21  
5505.262, 5505.263, and 5505.33 be amended and sections 2901.432, 22  
2901.433, 2901.434, and 2927.28 of the Revised Code be enacted to 23  
read as follows: 24

**Sec. 145.27.** (A)(1) As used in this division, "personal 25  
history record" means information maintained by the public 26  
employees retirement board on an individual who is a member, 27  
former member, contributor, former contributor, retirant, or 28  
beneficiary that includes the address, telephone number, social 29  
security number, record of contributions, correspondence with the 30  
public employees retirement system, or other information the board 31  
determines to be confidential. 32

(2) The records of the board shall be open to public 33  
inspection and may be made available in printed or electronic 34  
format, except that the following shall be excluded, except with 35  
the written authorization of the individual concerned: 36

(a) The individual's statement of previous service and other 37  
information as provided for in section 145.16 of the Revised Code; 38

(b) The amount of a monthly allowance or benefit paid to the 39  
individual; 40

(c) The individual's personal history record. 41

(B) All medical reports and recommendations required by this 42  
chapter are privileged, except as follows: 43

(1) Copies of medical reports or recommendations shall be 44  
made available to the personal physician, attorney, or authorized 45  
agent of the individual concerned upon written release from the 46  
individual or the individual's agent, or when necessary for the 47

proper administration of the fund, to the board assigned 48  
physician. 49

(2) Documentation required by section 2901.434 or 2929.193 of 50  
the Revised Code shall be provided to a court holding a hearing 51  
under that section. 52

(C) Any person who is a member or contributor of the system 53  
shall be furnished with a statement of the amount to the credit of 54  
the individual's account upon written request. The board is not 55  
required to answer more than one such request of a person in any 56  
one year. The board may issue annual statements of accounts to 57  
members and contributors. 58

(D) Notwithstanding the exceptions to public inspection in 59  
division (A)(2) of this section, the board may furnish the 60  
following information: 61

(1) If a member, former member, contributor, former 62  
contributor, or retirant is subject to an order issued under 63  
section 2907.15 of the Revised Code or an order issued under 64  
division (A) or (B) of section 2929.192 of the Revised Code or is 65  
convicted of or pleads guilty to a violation of section 2921.41 of 66  
the Revised Code, on written request of a prosecutor as defined in 67  
section 2935.01 of the Revised Code, the board shall furnish to 68  
the prosecutor the information requested from the individual's 69  
personal history record. 70

(2) Pursuant to a court or administrative order issued 71  
pursuant to Chapter 3119., 3121., 3123., or 3125. of the Revised 72  
Code, the board shall furnish to a court or child support 73  
enforcement agency the information required under that section. 74

(3) At the written request of any person, the board shall 75  
provide to the person a list of the names and addresses of 76  
members, former members, contributors, former contributors, 77  
retirants, or beneficiaries. The costs of compiling, copying, and 78

mailing the list shall be paid by such person. 79

(4) Within fourteen days after receiving from the director of 80  
job and family services a list of the names and social security 81  
numbers of recipients of public assistance pursuant to section 82  
5101.181 of the Revised Code, the board shall inform the auditor 83  
of state of the name, current or most recent employer address, and 84  
social security number of each member whose name and social 85  
security number are the same as that of a person whose name or 86  
social security number was submitted by the director. The board 87  
and its employees shall, except for purposes of furnishing the 88  
auditor of state with information required by this section, 89  
preserve the confidentiality of recipients of public assistance in 90  
compliance with section 5101.181 of the Revised Code. 91

(5) The system shall comply with orders issued under section 92  
3105.87 of the Revised Code. 93

On the written request of an alternate payee, as defined in 94  
section 3105.80 of the Revised Code, the system shall furnish to 95  
the alternate payee information on the amount and status of any 96  
amounts payable to the alternate payee under an order issued under 97  
section 3105.171 or 3105.65 of the Revised Code. 98

(6) At the request of any person, the board shall make 99  
available to the person copies of all documents, including 100  
resumes, in the board's possession regarding filling a vacancy of 101  
an employee member or retirant member of the board. The person who 102  
made the request shall pay the cost of compiling, copying, and 103  
mailing the documents. The information described in division 104  
(D)(6) of this section is a public record. 105

(7) The system shall provide the notice required by section 106  
145.573 of the Revised Code to the prosecutor assigned to the 107  
case. 108

(8) The system may provide information requested by the 109

United States social security administration, United States 110  
centers for medicare and medicaid, Ohio public employees deferred 111  
compensation program, Ohio police and fire pension fund, school 112  
employees retirement system, state teachers retirement system, 113  
state highway patrol retirement system, or Cincinnati retirement 114  
system. 115

(E) A statement that contains information obtained from the 116  
system's records that is signed by the executive director or an 117  
officer of the system and to which the system's official seal is 118  
affixed, or copies of the system's records to which the signature 119  
and seal are attached, shall be received as true copies of the 120  
system's records in any court or before any officer of this state. 121

(F) For purposes of this section, the board may maintain 122  
records in printed or electronic format. 123

**Sec. 145.572.** (A)(1) Notwithstanding any other provision of 124  
this chapter, the following shall be subject to a forfeiture 125  
ordered under ~~division (A) or (B) of~~ section 2901.433 or 2929.192 126  
of the Revised Code: 127

(a) The right of a member to receive any payment under a 128  
pension, annuity, allowance, or other type of benefit under this 129  
chapter, other than a payment of the accumulated contributions 130  
standing to the person's credit under this chapter; 131

(b) The right of a contributor to receive a benefit under 132  
division (B) of section 145.384 of the Revised Code, other than a 133  
payment of the person's contributions made under section 145.38 or 134  
145.383 of the Revised Code. 135

(2) The public employees retirement system shall comply with 136  
a forfeiture order issued under ~~division (A) or (B) of~~ section 137  
2901.433 or 2929.192 of the Revised Code at the time the member or 138  
contributor applies for payment of the person's accumulated 139

contributions. Upon payment of the person's contributions and 140  
cancellation of any corresponding service credit, a person who is 141  
subject to the forfeiture order described in this division may not 142  
restore any canceled service credit under this chapter or the 143  
provisions of Chapter 742., 3305., 3307., 3309., or 5505. of the 144  
Revised Code. 145

(B) Notwithstanding any other provision of this chapter, if 146  
the system receives notice pursuant to section 2901.43 or division 147  
(C) of section 2901.432 of the Revised Code that a person who has 148  
accumulated contributions standing to the person's credit pursuant 149  
to this chapter is charged with any offense or violation ~~listed or~~ 150  
described in ~~divisions~~ division (B)(1) of section 2901.432 or 151  
division (D)(1) to (3) of section 2929.192 of the Revised Code 152  
~~that is a felony in~~ under the circumstances specified in ~~the~~ 153  
~~particular division~~ those sections, all of the following apply: 154

(1) No payment of those accumulated contributions or of any 155  
other amount or amounts to be paid to a person who is a member or 156  
contributor under this chapter upon the person's withdrawal of 157  
contributions pursuant to this chapter shall be made prior to 158  
whichever of the following is applicable: 159

(a) If the person is convicted of or pleads guilty to the 160  
charge and forfeiture is ordered under ~~division (A) or (B) of~~ 161  
section either of the following: 162

(i) Section 2929.192 of the Revised Code, the day on which 163  
the system receives from the court a copy of the journal entry of 164  
the offender's sentence under that section; 165

(ii) Section 2901.433 of the Revised Code, the day on which 166  
the system receives from the court a copy of the journal entry 167  
imposing the forfeiture order under that section. 168

(b) If the charge against the person is dismissed, the person 169  
is found not guilty of the charge, or the person is found not 170

guilty by reason of insanity of the charge, the day on which the system receives notice of the final disposition of the charge.

(2) The system shall not process any application for payment under this chapter from the person prior to the final disposition of the charge.

**Sec. 145.573.** Notwithstanding any other provision of this chapter, a disability benefit granted under this chapter is subject to an order issued under section 2901.434 or 2929.193 of the Revised Code. The public employees retirement board shall comply with the order.

On receipt of notice under section 2901.43 of the Revised Code that a public employees retirement system member is charged with an offense listed in division (D) of section 2929.192 of the Revised Code under the circumstances specified in that ~~division~~ section, the system shall determine whether the member has been granted a disability benefit. If so, the system shall send written notice to the prosecutor assigned to the case that the member has been granted a disability benefit under this chapter and may be subject to section 2929.193 of the Revised Code.

On receipt of notice under division (D) of section 2901.432 of the Revised Code that a public employees retirement system member has been convicted of or pleaded guilty to an offense listed in division (B)(1) of that section under the circumstances specified in that section, the system shall determine whether the member has been granted a disability benefit. If so, the system shall send written notice to the attorney general that the member has been granted a disability benefit under this chapter and may be subject to section 2901.434 of the Revised Code.

**Sec. 145.581.** (A) As used in this section:

(1) "Long-term care insurance" has the same meaning as in

section 3923.41 of the Revised Code. 201

(2) "Retirement systems" means the public employees 202  
retirement system, the Ohio police and fire pension fund, the 203  
state teachers retirement system, the school employees retirement 204  
system, and the state highway patrol retirement system. 205

(B) The public employees retirement board ~~shall~~ may establish 206  
a long-term care insurance program consisting of the programs 207  
authorized by divisions (C) and (D) of this section. Such program 208  
may be established independently or jointly with one or more of 209  
the other retirement systems. If the program is established 210  
jointly, the board shall adopt rules in accordance with section 211  
111.15 of the Revised Code to establish the terms and conditions 212  
of such joint participation. 213

(C) The board ~~shall~~ may establish a program under which it 214  
makes long-term care insurance available to any person who 215  
participated in a policy of long-term care insurance for which the 216  
state or a political subdivision contracted under section 124.84 217  
or 124.841 of the Revised Code and is the recipient of a pension, 218  
benefit, or allowance from the system. To implement the program 219  
under this division, the board, subject to division (E) of this 220  
section, may enter into an agreement with the insurance company, 221  
health insuring corporation, or government agency that provided 222  
the insurance. The board shall, under any such agreement, deduct 223  
the full premium charged from the person's benefit, pension, or 224  
allowance notwithstanding any employer agreement to the contrary. 225

Any long-term care insurance policy entered into under this 226  
division is subject to division (C) of section 124.84 of the 227  
Revised Code. 228

(D)(1) The board, subject to division (E) of this section, 229  
~~shall~~ may establish a program under which a recipient of a 230  
pension, benefit, or allowance from the system who is not eligible 231



for such insurance under division (C) of this section may 232  
participate in a contract for long-term care insurance. 233  
Participation may include the recipient's dependents and family 234  
members. 235

(2) The board ~~shall~~ may adopt rules in accordance with 236  
section 111.15 of the Revised Code governing the program. ~~The~~ Any 237  
rules adopted by the board shall establish methods of payment for 238  
participation under this section, which may include deduction of 239  
the full premium charged from a recipient's pension, benefit, or 240  
allowance, or any other method of payment considered appropriate 241  
by the board. 242

(E) Prior to entering into any agreement or contract with an 243  
insurance company or health insuring corporation for the purchase 244  
of, or participation in, a long-term care insurance policy under 245  
this section, the board shall request the superintendent of 246  
insurance to certify the financial condition of the company or 247  
corporation. The board shall not enter into the agreement or 248  
contract if, according to that certification, the company or 249  
corporation is insolvent, is determined by the superintendent to 250  
be potentially unable to fulfill its contractual obligations, or 251  
is placed under an order of rehabilitation or conservation by a 252  
court of competent jurisdiction or under an order of supervision 253  
by the superintendent. 254

**Sec. 742.41.** (A) As used in this section: 255

(1) "Other system retirant" has the same meaning as in 256  
section 742.26 of the Revised Code. 257

(2) "Personal history record" includes a member's, former 258  
member's, or other system retirant's name, address, telephone 259  
number, social security number, record of contributions, 260  
correspondence with the Ohio police and fire pension fund, status 261  
of any application for benefits, and any other information deemed 262

confidential by the trustees of the fund. 263

(B) The treasurer of state shall furnish annually to the 264  
board of trustees of the fund a sworn statement of the amount of 265  
the funds in the treasurer of state's custody belonging to the 266  
Ohio police and fire pension fund. The records of the fund shall 267  
be open for public inspection except for the following, which 268  
shall be excluded, except with the written authorization of the 269  
individual concerned: 270

(1) The individual's personal history record; 271

(2) Any information identifying, by name and address, the 272  
amount of a monthly allowance or benefit paid to the individual. 273

(C) All medical reports and recommendations required are 274  
privileged, except as follows: 275

(1) Copies of medical reports or recommendations shall be 276  
made available to the personal physician, attorney, or authorized 277  
agent of the individual concerned upon written release received 278  
from the individual or the individual's agent or, when necessary 279  
for the proper administration of the fund, to the board-assigned 280  
physician. 281

(2) Documentation required by section 2901.434 or 2929.193 of 282  
the Revised Code shall be provided to a court holding a hearing 283  
under that section. 284

(D) Any person who is a member of the fund or an other system 285  
retirant shall be furnished with a statement of the amount to the 286  
credit of the person's individual account upon the person's 287  
written request. The fund need not answer more than one such 288  
request of a person in any one year. 289

(E) Notwithstanding the exceptions to public inspection in 290  
division (B) of this section, the fund may furnish the following 291  
information: 292

(1) If a member, former member, or other system retirant is 293  
subject to an order issued under section 2907.15 of the Revised 294  
Code or an order issued under division (A) or (B) of section 295  
2929.192 of the Revised Code or is convicted of or pleads guilty 296  
to a violation of section 2921.41 of the Revised Code, on written 297  
request of a prosecutor as defined in section 2935.01 of the 298  
Revised Code, the fund shall furnish to the prosecutor the 299  
information requested from the individual's personal history 300  
record. 301

(2) Pursuant to a court order issued pursuant to Chapter 302  
3119., 3121., 3123., or 3125. of the Revised Code, the fund shall 303  
furnish to a court or child support enforcement agency the 304  
information required under that section. 305

(3) At the request of any organization or association of 306  
members of the fund, the fund shall provide a list of the names 307  
and addresses of members of the fund and other system retirants. 308  
The fund shall comply with the request of such organization or 309  
association at least once a year and may impose a reasonable 310  
charge for the list. 311

(4) Within fourteen days after receiving from the director of 312  
job and family services a list of the names and social security 313  
numbers of recipients of public assistance pursuant to section 314  
5101.181 of the Revised Code, the fund shall inform the auditor of 315  
state of the name, current or most recent employer address, and 316  
social security number of each member or other system retirant 317  
whose name and social security number are the same as that of a 318  
person whose name or social security number was submitted by the 319  
director. The fund and its employees shall, except for purposes of 320  
furnishing the auditor of state with information required by this 321  
section, preserve the confidentiality of recipients of public 322  
assistance in compliance with section 5101.181 of the Revised 323  
Code. 324

(5) The fund shall comply with orders issued under section 325  
3105.87 of the Revised Code. 326

On the written request of an alternate payee, as defined in 327  
section 3105.80 of the Revised Code, the fund shall furnish to the 328  
alternate payee information on the amount and status of any 329  
amounts payable to the alternate payee under an order issued under 330  
section 3105.171 or 3105.65 of the Revised Code. 331

(6) At the request of any person, the fund shall make 332  
available to the person copies of all documents, including 333  
resumes, in the fund's possession regarding filling a vacancy of a 334  
police officer employee member, firefighter employee member, 335  
police retirant member, or firefighter retirant member of the 336  
board of trustees. The person who made the request shall pay the 337  
cost of compiling, copying, and mailing the documents. The 338  
information described in this division is a public record. 339

(7) The fund shall provide the notice required by section 340  
742.464 of the Revised Code to the prosecutor assigned to the 341  
case. 342

(F) A statement that contains information obtained from the 343  
fund's records that is signed by the secretary of the board of 344  
trustees of the Ohio police and fire pension fund and to which the 345  
board's official seal is affixed, or copies of the fund's records 346  
to which the signature and seal are attached, shall be received as 347  
true copies of the fund's records in any court or before any 348  
officer of this state. 349

**Sec. 742.463.** (A) Notwithstanding any other provision of this 350  
chapter, any payment of accumulated contributions standing to a 351  
person's credit under this chapter and any other amount or amounts 352  
to be paid to a person who is a member or contributor under this 353  
chapter upon the person's withdrawal of contributions pursuant to 354  
this chapter shall be subject to any forfeiture ordered under 355

~~division (A) or (B) of section 2901.433 or 2929.192 of the Revised Code, and the Ohio police and fire pension fund shall comply with that order in making the payment. Upon payment of the person's accumulated contributions and cancellation of the corresponding service credit, a person who is subject to the forfeiture described in this division may not restore the canceled service credit under this chapter or under Chapter 145., 3305., 3307., 3309., or 5505. of the Revised Code.~~ 356  
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(B) Notwithstanding any other provision of this chapter, if the fund receives notice pursuant to section 2901.43 or division (C) of section 2901.432 of the Revised Code that a person who has accumulated contributions standing to the person's credit pursuant to this chapter is charged with any offense or violation ~~listed or~~ described in ~~divisions~~ division (B)(1) of section 2901.432 or division (D)(1) to (3) of section 2929.192 of the Revised Code that is a felony in under the circumstances specified in ~~the particular division~~ those sections, all of the following apply: 364  
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(1) No payment of those accumulated contributions or of any other amount or amounts to be paid to a person who is a member or contributor under this chapter upon the person's withdrawal of contributions pursuant to this chapter shall be made prior to whichever of the following is applicable: 373  
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(a) If the person is convicted of or pleads guilty to the charge and forfeiture is ordered under ~~division (A) or (B) of section~~ either of the following: 378  
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(i) Section 2929.192 of the Revised Code, the day on which the fund receives from the court a copy of the journal entry of the offender's sentence under that section; 381  
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(ii) Section 2901.433 of the Revised Code, the day on which the fund receives from the court a copy of the journal entry imposing the forfeiture order under that section. 384  
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(b) If the charge against the person is dismissed, the person 387  
is found not guilty of the charge, or the person is found not 388  
guilty by reason of insanity of the charge, the day on which the 389  
fund receives notice of the final disposition of the charge. 390

(2) The fund shall not process any application for payment 391  
under this chapter from the person prior to the final disposition 392  
of the charge. 393

**Sec. 742.464.** Notwithstanding any other provision of this 394  
chapter, a disability benefit granted under this chapter is 395  
subject to an order issued under section 2901.434 or 2929.193 of 396  
the Revised Code. The board of trustees of the Ohio police and 397  
fire pension fund shall comply with the order. 398

On receipt of notice under section 2901.43 of the Revised 399  
Code that an Ohio police and fire pension fund member is charged 400  
with an offense listed in division (D) of section 2929.192 of the 401  
Revised Code under the circumstances specified in that ~~division~~ 402  
section, the fund shall determine whether the member has been 403  
granted a disability benefit. If so, the fund shall send written 404  
notice to the prosecutor assigned to the case that the member has 405  
been granted a disability benefit under this chapter and may be 406  
subject to section 2929.193 of the Revised Code. 407

On receipt of notice under division (D) of section 2901.432 408  
of the Revised Code that an Ohio police and fire pension fund 409  
member has been convicted of or pleaded guilty to an offense 410  
listed in division (B)(1) of that section under the circumstances 411  
specified in that section, the fund shall determine whether the 412  
member has been granted a disability benefit. If so, the fund 413  
shall send written notice to the attorney general that the member 414  
has been granted a disability benefit under this chapter and may 415  
be subject to section 2901.434 of the Revised Code. 416

Sec. 742.53. (A) As used in this section:	417
(1) "Long-term care insurance" has the same meaning as in section 3923.41 of the Revised Code.	418 419
(2) "Retirement systems" has the same meaning as in division (A) of section 145.581 of the Revised Code.	420 421
(B) The board of trustees of the Ohio police and fire pension fund <del>shall</del> <u>may</u> establish a program under which members of the fund, employers on behalf of members, and persons receiving service or disability pensions or survivor benefits are permitted to participate in contracts for long-term care insurance. Participation may include dependents and family members. If a participant in a contract for long-term care insurance leaves employment, the participant and the participant's dependents and family members may, at their election, continue to participate in a program established under this section in the same manner as if the participant had not left employment, except that no part of the cost of the insurance shall be paid by the participant's former employer.	422 423 424 425 426 427 428 429 430 431 432 433 434
Such program may be established independently or jointly with one or more of the other retirement systems.	435 436
(C) The fund may enter into an agreement with insurance companies, health insuring corporations, or government agencies authorized to do business in the state for issuance of a long-term care policy or contract. However, prior to entering into such an agreement with an insurance company or health insuring corporation, the fund shall request the superintendent of insurance to certify the financial condition of the company or corporation. The fund shall not enter into the agreement if, according to that certification, the company or corporation is insolvent, is determined by the superintendent to be potentially unable to fulfill its contractual obligations, or is placed under	437 438 439 440 441 442 443 444 445 446 447

an order of rehabilitation or conservation by a court of competent 448  
jurisdiction or under an order of supervision by the 449  
superintendent. 450

(D) The board ~~shall~~ may adopt rules in accordance with 451  
section 111.15 of the Revised Code governing the program. ~~The~~ Any 452  
rules adopted by the board shall establish methods of payment for 453  
participation under this section, which may include establishment 454  
of a payroll deduction plan under section 742.56 of the Revised 455  
Code, deduction of the full premium charged from a person's 456  
service or disability pension or survivor benefit, or any other 457  
method of payment considered appropriate by the board. If the 458  
program is established jointly with one or more of the other 459  
retirement systems, the rules also shall establish the terms and 460  
conditions of such joint participation. 461

**Sec. 2329.66.** (A) Every person who is domiciled in this state 462  
may hold property exempt from execution, garnishment, attachment, 463  
or sale to satisfy a judgment or order, as follows: 464

(1)(a) In the case of a judgment or order regarding money 465  
owed for health care services rendered or health care supplies 466  
provided to the person or a dependent of the person, one parcel or 467  
item of real or personal property that the person or a dependent 468  
of the person uses as a residence. Division (A)(1)(a) of this 469  
section does not preclude, affect, or invalidate the creation 470  
under this chapter of a judgment lien upon the exempted property 471  
but only delays the enforcement of the lien until the property is 472  
sold or otherwise transferred by the owner or in accordance with 473  
other applicable laws to a person or entity other than the 474  
surviving spouse or surviving minor children of the judgment 475  
debtor. Every person who is domiciled in this state may hold 476  
exempt from a judgment lien created pursuant to division (A)(1)(a) 477  
of this section the person's interest, not to exceed one hundred 478



twenty-five thousand dollars, in the exempted property. 479

(b) In the case of all other judgments and orders, the 480  
person's interest, not to exceed one hundred twenty-five thousand 481  
dollars, in one parcel or item of real or personal property that 482  
the person or a dependent of the person uses as a residence. 483

(c) For purposes of divisions (A)(1)(a) and (b) of this 484  
section, "parcel" means a tract of real property as identified on 485  
the records of the auditor of the county in which the real 486  
property is located. 487

(2) The person's interest, not to exceed three thousand two 488  
hundred twenty-five dollars, in one motor vehicle; 489

(3) The person's interest, not to exceed four hundred 490  
dollars, in cash on hand, money due and payable, money to become 491  
due within ninety days, tax refunds, and money on deposit with a 492  
bank, savings and loan association, credit union, public utility, 493  
landlord, or other person, other than personal earnings. 494

(4)(a) The person's interest, not to exceed five hundred 495  
twenty-five dollars in any particular item or ten thousand seven 496  
hundred seventy-five dollars in aggregate value, in household 497  
furnishings, household goods, wearing apparel, appliances, books, 498  
animals, crops, musical instruments, firearms, and hunting and 499  
fishing equipment that are held primarily for the personal, 500  
family, or household use of the person; 501

(b) The person's aggregate interest in one or more items of 502  
jewelry, not to exceed one thousand three hundred fifty dollars, 503  
held primarily for the personal, family, or household use of the 504  
person or any of the person's dependents. 505

(5) The person's interest, not to exceed an aggregate of two 506  
thousand twenty-five dollars, in all implements, professional 507  
books, or tools of the person's profession, trade, or business, 508  
including agriculture; 509

(6)(a) The person's interest in a beneficiary fund set apart, appropriated, or paid by a benevolent association or society, as exempted by section 2329.63 of the Revised Code;	510 511 512
(b) The person's interest in contracts of life or endowment insurance or annuities, as exempted by section 3911.10 of the Revised Code;	513 514 515
(c) The person's interest in a policy of group insurance or the proceeds of a policy of group insurance, as exempted by section 3917.05 of the Revised Code;	516 517 518
(d) The person's interest in money, benefits, charity, relief, or aid to be paid, provided, or rendered by a fraternal benefit society, as exempted by section 3921.18 of the Revised Code;	519 520 521 522
(e) The person's interest in the portion of benefits under policies of sickness and accident insurance and in lump sum payments for dismemberment and other losses insured under those policies, as exempted by section 3923.19 of the Revised Code.	523 524 525 526
(7) The person's professionally prescribed or medically necessary health aids;	527 528
(8) The person's interest in a burial lot, including, but not limited to, exemptions under section 517.09 or 1721.07 of the Revised Code;	529 530 531
(9) The person's interest in the following:	532
(a) Moneys paid or payable for living maintenance or rights, as exempted by section 3304.19 of the Revised Code;	533 534
(b) Workers' compensation, as exempted by section 4123.67 of the Revised Code;	535 536
(c) Unemployment compensation benefits, as exempted by section 4141.32 of the Revised Code;	537 538
(d) Cash assistance payments under the Ohio works first	539

program, as exempted by section 5107.75 of the Revised Code; 540

(e) Benefits and services under the prevention, retention, 541  
and contingency program, as exempted by section 5108.08 of the 542  
Revised Code; 543

(f) Disability financial assistance payments, as exempted by 544  
section 5115.06 of the Revised Code; 545

(g) Payments under section 24 or 32 of the "Internal Revenue 546  
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 547

(10)(a) Except in cases in which the person was convicted of 548  
or pleaded guilty to a violation of section 2921.41 of the Revised 549  
Code and in which an order for the withholding of restitution from 550  
payments was issued under division (C)(2)(b) of that section, in 551  
cases in which an order for withholding was issued under section 552  
2907.15 of the Revised Code, in cases in which an order for 553  
forfeiture was issued under division (B) or (C) of section 554  
2901.433 or division (A) or (B) of section 2929.192 of the Revised 555  
Code, and in cases in which an order was issued under section 556  
2901.434, 2929.193, or 2929.194 of the Revised Code, and only to 557  
the extent provided in the order, and except as provided in 558  
sections 3105.171, 3105.63, 3119.80, 3119.81, 3121.02, 3121.03, 559  
and 3123.06 of the Revised Code, the person's rights to or 560  
interests in a pension, benefit, annuity, retirement allowance, or 561  
accumulated contributions, the person's rights to or interests in 562  
a participant account in any deferred compensation program offered 563  
by the Ohio public employees deferred compensation board, a 564  
government unit, or a municipal corporation, or the person's other 565  
accrued or accruing rights or interests, as exempted by section 566  
145.56, 146.13, 148.09, 742.47, 3307.41, 3309.66, or 5505.22 of 567  
the Revised Code, and the person's rights to or interests in 568  
benefits from the Ohio public safety officers death benefit fund; 569

(b) Except as provided in sections 3119.80, 3119.81, 3121.02, 570

3121.03, and 3123.06 of the Revised Code, the person's rights to 571  
receive or interests in receiving a payment or other benefits 572  
under any pension, annuity, or similar plan or contract, not 573  
including a payment or benefit from a stock bonus or 574  
profit-sharing plan or a payment included in division (A)(6)(b) or 575  
(10)(a) of this section, on account of illness, disability, death, 576  
age, or length of service, to the extent reasonably necessary for 577  
the support of the person and any of the person's dependents, 578  
except if all the following apply: 579

(i) The plan or contract was established by or under the 580  
auspices of an insider that employed the person at the time the 581  
person's rights or interests under the plan or contract arose. 582

(ii) The payment is on account of age or length of service. 583

(iii) The plan or contract is not qualified under the 584  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 585  
amended. 586

(c) Except for any portion of the assets that were deposited 587  
for the purpose of evading the payment of any debt and except as 588  
provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 589  
3123.06 of the Revised Code, the person's rights or interests in 590  
the assets held in, or to directly or indirectly receive any 591  
payment or benefit under, any individual retirement account, 592  
individual retirement annuity, "Roth IRA," "529 plan," or 593  
education individual retirement account that provides payments or 594  
benefits by reason of illness, disability, death, retirement, or 595  
age or provides payments or benefits for purposes of education, to 596  
the extent that the assets, payments, or benefits described in 597  
division (A)(10)(c) of this section are attributable to or derived 598  
from any of the following or from any earnings, dividends, 599  
interest, appreciation, or gains on any of the following: 600

(i) Contributions of the person that were less than or equal 601

to the applicable limits on deductible contributions to an individual retirement account or individual retirement annuity in the year that the contributions were made, whether or not the person was eligible to deduct the contributions on the person's federal tax return for the year in which the contributions were made;

(ii) Contributions of the person that were less than or equal to the applicable limits on contributions to a Roth IRA or education individual retirement account in the year that the contributions were made;

(iii) Contributions of the person that are within the applicable limits on rollover contributions under subsections 219, 402(c), 403(a)(4), 403(b)(8), 408(b), 408(d)(3), 408A(c)(3)(B), 408A(d)(3), and 530(d)(5) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended;

(iv) Contributions by any person into any plan, fund, or account that is formed, created, or administered pursuant to, or is otherwise subject to, section 529 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(d) Except for any portion of the assets that were deposited for the purpose of evading the payment of any debt and except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's rights or interests in the assets held in, or to receive any payment under, any Keogh or "H.R. 10" plan that provides benefits by reason of illness, disability, death, retirement, or age, to the extent reasonably necessary for the support of the person and any of the person's dependents.

(e) The person's rights to or interests in any assets held in, or to directly or indirectly receive any payment or benefit under, any individual retirement account, individual retirement

annuity, "Roth IRA," "529 plan," or education individual 633  
retirement account that a decedent, upon or by reason of the 634  
decedent's death, directly or indirectly left to or for the 635  
benefit of the person, either outright or in trust or otherwise, 636  
including, but not limited to, any of those rights or interests in 637  
assets or to receive payments or benefits that were transferred, 638  
conveyed, or otherwise transmitted by the decedent by means of a 639  
will, trust, exercise of a power of appointment, beneficiary 640  
designation, transfer or payment on death designation, or any 641  
other method or procedure. 642

(f) The exemptions under divisions (A)(10)(a) to (e) of this 643  
section also shall apply or otherwise be available to an alternate 644  
payee under a qualified domestic relations order (QDRO) or other 645  
similar court order. 646

(g) A person's interest in any plan, program, instrument, or 647  
device described in divisions (A)(10)(a) to (e) of this section 648  
shall be considered an exempt interest even if the plan, program, 649  
instrument, or device in question, due to an error made in good 650  
faith, failed to satisfy any criteria applicable to that plan, 651  
program, instrument, or device under the "Internal Revenue Code of 652  
1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 653

(11) The person's right to receive spousal support, child 654  
support, an allowance, or other maintenance to the extent 655  
reasonably necessary for the support of the person and any of the 656  
person's dependents; 657

(12) The person's right to receive, or moneys received during 658  
the preceding twelve calendar months from, any of the following: 659

(a) An award of reparations under sections 2743.51 to 2743.72 660  
of the Revised Code, to the extent exempted by division (D) of 661  
section 2743.66 of the Revised Code; 662

(b) A payment on account of the wrongful death of an 663

individual of whom the person was a dependent on the date of the 664  
individual's death, to the extent reasonably necessary for the 665  
support of the person and any of the person's dependents; 666

(c) Except in cases in which the person who receives the 667  
payment is an inmate, as defined in section 2969.21 of the Revised 668  
Code, and in which the payment resulted from a civil action or 669  
appeal against a government entity or employee, as defined in 670  
section 2969.21 of the Revised Code, a payment, not to exceed 671  
twenty thousand two hundred dollars, on account of personal bodily 672  
injury, not including pain and suffering or compensation for 673  
actual pecuniary loss, of the person or an individual for whom the 674  
person is a dependent; 675

(d) A payment in compensation for loss of future earnings of 676  
the person or an individual of whom the person is or was a 677  
dependent, to the extent reasonably necessary for the support of 678  
the debtor and any of the debtor's dependents. 679

(13) Except as provided in sections 3119.80, 3119.81, 680  
3121.02, 3121.03, and 3123.06 of the Revised Code, personal 681  
earnings of the person owed to the person for services in an 682  
amount equal to the greater of the following amounts: 683

(a) If paid weekly, thirty times the current federal minimum 684  
hourly wage; if paid biweekly, sixty times the current federal 685  
minimum hourly wage; if paid semimonthly, sixty-five times the 686  
current federal minimum hourly wage; or if paid monthly, one 687  
hundred thirty times the current federal minimum hourly wage that 688  
is in effect at the time the earnings are payable, as prescribed 689  
by the "Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 690  
U.S.C. 206(a)(1), as amended; 691

(b) Seventy-five per cent of the disposable earnings owed to 692  
the person. 693

(14) The person's right in specific partnership property, as 694

exempted by the person's rights in a partnership pursuant to 695  
section 1776.50 of the Revised Code, except as otherwise set forth 696  
in section 1776.50 of the Revised Code; 697

(15) A seal and official register of a notary public, as 698  
exempted by section 147.04 of the Revised Code; 699

(16) The person's interest in a tuition unit or a payment 700  
under section 3334.09 of the Revised Code pursuant to a tuition 701  
payment contract, as exempted by section 3334.15 of the Revised 702  
Code; 703

(17) Any other property that is specifically exempted from 704  
execution, attachment, garnishment, or sale by federal statutes 705  
other than the "Bankruptcy Reform Act of 1978," 92 Stat. 2549, 11 706  
U.S.C.A. 101, as amended; 707

(18) The person's aggregate interest in any property, not to 708  
exceed one thousand seventy-five dollars, except that division 709  
(A)(18) of this section applies only in bankruptcy proceedings. 710

(B) On April 1, 2010, and on the first day of April in each 711  
third calendar year after 2010, the Ohio judicial conference shall 712  
adjust each dollar amount set forth in this section to reflect any 713  
increase in the consumer price index for all urban consumers, as 714  
published by the United States department of labor, or, if that 715  
index is no longer published, a generally available comparable 716  
index, for the three-year period ending on the thirty-first day of 717  
December of the preceding year. Any adjustments required by this 718  
division shall be rounded to the nearest twenty-five dollars. 719

The Ohio judicial conference shall prepare a memorandum 720  
specifying the adjusted dollar amounts. The judicial conference 721  
shall transmit the memorandum to the director of the legislative 722  
service commission, and the director shall publish the memorandum 723  
in the register of Ohio. (Publication of the memorandum in the 724  
register of Ohio shall continue until the next memorandum 725



specifying an adjustment is so published.) The judicial conference 726  
also may publish the memorandum in any other manner it concludes 727  
will be reasonably likely to inform persons who are affected by 728  
its adjustment of the dollar amounts. 729

(C) As used in this section: 730

(1) "Disposable earnings" means net earnings after the 731  
garnishee has made deductions required by law, excluding the 732  
deductions ordered pursuant to section 3119.80, 3119.81, 3121.02, 733  
3121.03, or 3123.06 of the Revised Code. 734

(2) "Insider" means: 735

(a) If the person who claims an exemption is an individual, a 736  
relative of the individual, a relative of a general partner of the 737  
individual, a partnership in which the individual is a general 738  
partner, a general partner of the individual, or a corporation of 739  
which the individual is a director, officer, or in control; 740

(b) If the person who claims an exemption is a corporation, a 741  
director or officer of the corporation; a person in control of the 742  
corporation; a partnership in which the corporation is a general 743  
partner; a general partner of the corporation; or a relative of a 744  
general partner, director, officer, or person in control of the 745  
corporation; 746

(c) If the person who claims an exemption is a partnership, a 747  
general partner in the partnership; a general partner of the 748  
partnership; a person in control of the partnership; a partnership 749  
in which the partnership is a general partner; or a relative in, a 750  
general partner of, or a person in control of the partnership; 751

(d) An entity or person to which or whom any of the following 752  
applies: 753

(i) The entity directly or indirectly owns, controls, or 754  
holds with power to vote, twenty per cent or more of the 755

outstanding voting securities of the person who claims an 756  
exemption, unless the entity holds the securities in a fiduciary 757  
or agency capacity without sole discretionary power to vote the 758  
securities or holds the securities solely to secure to debt and 759  
the entity has not in fact exercised the power to vote. 760

(ii) The entity is a corporation, twenty per cent or more of 761  
whose outstanding voting securities are directly or indirectly 762  
owned, controlled, or held with power to vote, by the person who 763  
claims an exemption or by an entity to which division (C)(2)(d)(i) 764  
of this section applies. 765

(iii) A person whose business is operated under a lease or 766  
operating agreement by the person who claims an exemption, or a 767  
person substantially all of whose business is operated under an 768  
operating agreement with the person who claims an exemption. 769

(iv) The entity operates the business or all or substantially 770  
all of the property of the person who claims an exemption under a 771  
lease or operating agreement. 772

(e) An insider, as otherwise defined in this section, of a 773  
person or entity to which division (C)(2)(d)(i), (ii), (iii), or 774  
(iv) of this section applies, as if the person or entity were a 775  
person who claims an exemption; 776

(f) A managing agent of the person who claims an exemption. 777

(3) "Participant account" has the same meaning as in section 778  
148.01 of the Revised Code. 779

(4) "Government unit" has the same meaning as in section 780  
148.06 of the Revised Code. 781

(D) For purposes of this section, "interest" shall be 782  
determined as follows: 783

(1) In bankruptcy proceedings, as of the date a petition is 784  
filed with the bankruptcy court commencing a case under Title 11 785

of the United States Code; 786

(2) In all cases other than bankruptcy proceedings, as of the 787  
date of an appraisal, if necessary under section 2329.68 of the 788  
Revised Code, or the issuance of a writ of execution. 789

An interest, as determined under division (D)(1) or (2) of 790  
this section, shall not include the amount of any lien otherwise 791  
valid pursuant to section 2329.661 of the Revised Code. 792

**Sec. 2901.43.** (A)(1) As used in this section: 793

(a) "Public retirement system," "alternative retirement 794  
plan," and "prosecutor" have the same meanings as in section 795  
2907.15 of the Revised Code. 796

(b) "Position of honor, trust, or profit" has the same 797  
meaning as in section 2929.192 of the Revised Code. 798

(2) For purposes of ~~divisions (B) and (C) of~~ this section, a 799  
both of the following apply: 800

(a) A violation of section 2923.32 of the Revised Code or any 801  
other violation or offense that includes as an element a course of 802  
conduct or the occurrence of multiple acts is "committed on or 803  
after the effective date of this section May 13, 2008," if the 804  
course of conduct continues, one or more of the multiple acts 805  
occurs, or the subject person's accountability for the course of 806  
conduct or for one or more of the multiple acts continues, on or 807  
after the effective date of this section May 13, 2008; 808

(b) A violation of section 2923.32 of the Revised Code or any 809  
other violation or offense that includes as an element a course of 810  
conduct or the occurrence of multiple acts is "committed on or 811  
after the effective date of this amendment" if the course of 812  
conduct continues, one or more of the multiple acts occurs, or the 813  
offender's accountability for the course of conduct or for one or 814  
more of the multiple acts continues on or after the effective date 815

of this amendment. 816

(B) This section applies to a person to whom all of the 817  
following apply: 818

(1) The person is charged with an offense described in 819  
division (D) of section 2929.192 of the Revised Code that was 820  
allegedly committed on or after the appropriate date specified in 821  
that division. 822

(2) The offense was allegedly committed within the context of 823  
the person's public employment in a position of honor, trust, or 824  
profit. 825

(3) At the time of the alleged offense, the person was one of 826  
the following: 827

(a) A member of a public retirement system; 828

(b) A contributor to a public retirement system receiving or 829  
eligible to receive a benefit under section 145.384, 742.26, 830  
3307.352, or 3309.344 of the Revised Code; 831

(c) A participant in an alternative retirement plan. 832

(C) ~~Upon the filing of charges against a person alleging that~~ 833  
~~the person committed on or after the effective date of this~~ 834  
~~section any violation or offense specified in division (C) of this~~ 835  
~~section, if the person allegedly committed the violation or~~ 836  
~~offense while serving in a position of honor, trust, or profit and~~ 837  
~~if the person is an electing employee participating in an~~ 838  
~~alternative retirement plan or a member of a public retirement~~ 839  
~~system subject to this section, the prosecutor who is assigned to~~ 840  
the case shall send written notice that those charges have been 841  
filed against that person to the alternative retirement plan in 842  
which the person is a participant or the public retirement system 843  
in which the person is a member or contributor, whichever is 844  
applicable. The written notice shall specifically identify the 845

person charged. 846

~~(C) Division (B) of this section applies when a person is 847  
charged with committing on or after the effective date of this 848  
section any offense or violation listed or described in divisions 849  
(D)(1) to (3) of section 2929.192 of the Revised Code that is a 850  
felony, in the circumstances specified in the particular division. 851~~

**Sec. 2901.432.** (A) As used in this section: 852

(1) "Public retirement system" and "alternative retirement 853  
plan" have the same meanings as in section 2907.15 of the Revised 854  
Code. 855

(2) "Position of honor, trust, or profit" has the same 856  
meaning as in section 2929.192 of the Revised Code. 857

(B) This section applies to a person to whom all of the 858  
following apply: 859

(1) The person is charged with any of the following offenses 860  
that were allegedly committed on or after the effective date of 861  
this section: 862

(a) Section 901(a) of the "Organized Crime Control Act of 863  
1970," 84 Stat. 941, 18 U.S.C. 1961 et seq., as amended; 864

(b) Section 1104 of the "Comprehensive Crime Control Act of 865  
1984," 98 Stat. 2143, 18 U.S.C. 666, as amended; 866

(c) Section 1951 of the "Hobbs Act," 62 Stat. 793, 18 U.S.C. 867  
1951, as amended; 868

(d) Section 7603 of the "Anti-Drug Abuse Act of 1988," 102 869  
Stat. 4508, 18 U.S.C. 1341, 1343, and 1346; 870

(e) A conspiracy to commit any violation described in 871  
divisions (B)(1)(a),(b),(c), and (d) of this section, in violation 872  
of 62 Stat. 701, 18 U.S.C. 371. 873

(2) The offense was allegedly committed within the context of 874

the person's public employment in a position of honor, trust, or profit. 875  
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(3) At the time of the alleged offense, the person was one of the following: 877  
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(a) A member of a public retirement system; 879

(b) A contributor to a public retirement system receiving or eligible to receive a benefit under section 145.384, 742.26, 3307.352, or 3309.344 of the Revised Code; 880  
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(c) A participant in an alternative retirement plan. 883

(C) On the filing of charges against a person subject to this section, the person shall send written notice to the public retirement system or alternative retirement plan in which the person is a member, contributor, or participant and to the attorney general that charges have been filed against the person. The notice shall specifically identify the person. 884  
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(D) On the conviction or guilty plea of a person subject to this section, the person shall send written notice to the public retirement system or alternative retirement plan in which the person is a member, contributor, or participant and to the attorney general of the person's conviction or guilty plea. The notice shall specifically identify the person. 890  
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**Sec. 2901.433. (A) As used in this section:** 896

(1) "Public retirement system" and "alternative retirement plan" have the same meanings as in section 2907.15 of the Revised Code. 897  
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(2) "Position of honor, trust, or profit" has the same meaning as in division (F)(1)(b) of section 2929.192 of the Revised Code. 900  
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(3) "Accumulated contributions" has the same meaning as in 903

section 2929.192 of the Revised Code. 904

(B)(1) On receipt of the notice under division (D) of section 2901.432 of the Revised Code, the attorney general shall determine whether the federal court that is charged with sentencing the offender who is subject to that section has issued an order of forfeiture of or writ of garnishment on the retirement allowance, pension, disability benefit, or other right or benefit of the offender who is a member, contributor, or participant in a public retirement system or alternative retirement plan. If the federal court has not issued that order or writ, the attorney general shall bring an action in the court of common pleas of Franklin county requesting the court to order a forfeiture to the public retirement system or alternative retirement plan in which the offender was a member, contributor, or participant of the offender's right to a retirement allowance, pension, disability benefit, or other right or benefit, other than payment of the offender's accumulated contributions. The court shall notify the offender of the action and shall order the forfeiture if all of the following apply: 905  
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(a) The offender has been convicted of or pleaded guilty to an offense described in division (B)(1) of section 2901.432 of the Revised Code that was committed on or after the effective date of this section. 923  
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(b) The offense was committed within the context of the offender's public employment in a position of honor, trust, or profit. 927  
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(c) At the time of the offense, the offender was one of the following: 930  
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(i) A member of a public retirement system; 932

(ii) A contributor to a public retirement system eligible to receive a benefit under section 145.384, 742.26, 3307.352, or 933  
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3309.344 of the Revised Code; 935

(iii) A participant in an alternative retirement plan. 936

(2) The court of common pleas shall send a copy of the 937  
journal entry imposing the forfeiture order under division (B)(1) 938  
of this section to the appropriate public retirement system or 939  
alternative retirement plan in which the offender was a member, 940  
contributor, or participant. 941

(C) In any case in which the court of common pleas is 942  
required to order forfeiture under division (B) of this section, 943  
the offender may request a hearing regarding the forfeiture by 944  
delivering a written request for a hearing to the court not later 945  
than thirty days after receipt of the notice described in that 946  
division. If a request for a hearing is made by the offender, the 947  
court shall conduct the hearing. The court shall notify the 948  
offender, the United States attorney who handled the case in which 949  
the offender was convicted of or pleaded guilty to the offense for 950  
which the forfeiture order will be imposed, the attorney general 951  
who commenced the action under this section, and the appropriate 952  
public retirement system or alternative retirement plan provider, 953  
whichever is applicable, or, if more than one is specified in the 954  
action, the applicable combination of these, of the hearing. A 955  
hearing scheduled under this division shall be limited to a 956  
consideration of whether there is good cause based on evidence 957  
presented by the offender for the forfeiture order not to be 958  
issued. If the court determines that there is good cause for the 959  
forfeiture order not to be issued, the court shall not issue the 960  
forfeiture order. If the offender does not request a hearing or if 961  
the court conducts a hearing but does not determine that there is 962  
good cause for the forfeiture order not to be issued, the court 963  
shall order the forfeiture described in division (B) of this 964  
section in accordance with that division and shall send a copy of 965  
the journal entry imposing the forfeiture order to the appropriate 966



public retirement system or alternative retirement plan in which 967  
the offender was a member, contributor, or participant. 968

(D) Upon receipt of a copy of a journal entry under division 969  
(B) or (C) of this section that contains an order of forfeiture, 970  
the public retirement system or alternative retirement plan in 971  
which the offender was a member, contributor, or participant shall 972  
comply with the forfeiture order on application for a refund of 973  
the accumulated contributions of the member, contributor, or 974  
participant. 975

(E) For purposes of division (B) of this section, a violation 976  
or offense that includes as an element a course of conduct or the 977  
occurrence of multiple acts is "committed on or after the 978  
effective date of this section" if the course of conduct 979  
continues, one or more of the multiple acts occurs, or the subject 980  
person's accountability for the course of conduct or for one or 981  
more of the multiple acts continues on or after the effective date 982  
of this section. 983

**Sec. 2901.434. (A) As used in this section:** 984

(1) "Public retirement system" and "alternative retirement 985  
plan" have the same meanings as in section 2907.15 of the Revised 986  
Code. 987

(2) "Position of honor, trust, or profit" has the same 988  
meaning as in division (F)(1)(b) of section 2929.192 of the 989  
Revised Code. 990

(B) This section applies to an offender to whom all of the 991  
following apply: 992

(1) The offender has been convicted of or pleaded guilty to 993  
an offense listed in division (B)(1) of section 2901.432 of the 994  
Revised Code that was committed on or after the effective date of 995  
this section. 996

(2) The offense was committed within the context of the offender's public employment in a position of honor, trust, or profit. 997  
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(3) At the time of the offense, the offender was one of the following: 1000  
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(a) A member of a public retirement system; 1002

(b) A contributor to a public retirement system receiving or eligible to receive a benefit under section 145.384, 742.26, 3307.352, or 3309.344 of the Revised Code; 1003  
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(c) A participant in an alternative retirement plan. 1006

(4) Prior to the final disposition of the case, the offender was granted a disability benefit by a public retirement system or an alternative retirement plan provider. 1007  
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(C)(1) On receipt of the notice under division (D) of section 2901.432 of the Revised Code, the attorney general shall determine whether the federal court that is charged with sentencing the offender who is subject to that section has issued an order of forfeiture of or writ of garnishment on the disability benefit of the offender who is a member, contributor, or participant in a public retirement system or an alternative retirement plan. If the federal court has not issued that order or writ, the attorney general shall bring an action in the court of common pleas of Franklin county requesting the court to order a termination of the offender's disability benefit. The court shall notify the offender of the action and shall order the termination of the offender's disability benefit if all of the conditions listed in division (B) of this section are met. Prior to issuing the order, the court shall hold a hearing regarding the condition for which the offender was granted a disability benefit. Not later than ten days prior to the scheduled date of the hearing, the court shall give written notice of the hearing to the offender, the United States 1010  
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attorney who handled the case in which the offender was convicted 1028  
of or pleaded guilty to the offense for which the order to 1029  
terminate the disability benefit will be imposed, the attorney 1030  
general, and the appropriate public retirement system, alternative 1031  
retirement plan provider, or, if more than one is providing a 1032  
disability benefit, the applicable combination of these. The 1033  
hearing shall be limited to a consideration of whether the 1034  
offender's disabling condition arose out of the commission of the 1035  
offense the offender was convicted of or pleaded guilty to. 1036

The system or provider shall submit to the court the 1037  
offender's medical reports and recommendations, and the offender's 1038  
disability application. If the court determines based on those 1039  
documents that the disabling condition arose out of the commission 1040  
of the offense the offender was convicted of or pleaded guilty to, 1041  
the court shall order the system or provider to terminate the 1042  
disability benefit. 1043

(2) Any disability benefit paid the offender prior to its 1044  
termination may be recovered in accordance with section 145.563, 1045  
742.64, 3305.22, 3307.47, 3309.70, or 5505.34 of the Revised Code. 1046

(D) For purposes of division (B) of this section, a violation 1047  
or offense that includes as an element a course of conduct or the 1048  
occurrence of multiple acts is "committed on or after the 1049  
effective date of this section" if the course of conduct 1050  
continues, one or more of the multiple acts occurs, or the 1051  
offender's accountability for the course of conduct or for one or 1052  
more of the multiple acts continues on or after the effective date 1053  
of this section. 1054

**Sec. 2927.28.** (A) No person shall knowingly fail to send the 1055  
written notice required by division (C) or (D) of section 2901.432 1056  
of the Revised Code. 1057

(B) Whoever violates this section is guilty of failure to 1058

report a charge or conviction to a public retirement system or an 1059  
alternative retirement plan, a misdemeanor of the fourth degree. 1060

~~Sec. 2929.192. (A) If an offender is being sentenced for any~~ 1061  
~~felony offense listed in division (D) of this section that was~~ 1062  
~~committed on or after May 13, 2008, if the offender committed the~~ 1063  
~~offense while serving in a position of honor, trust, or profit,~~ 1064  
~~and if the offender, at the time of the commission of the offense,~~ 1065  
~~was a member of any public retirement system or a participant in~~ 1066  
~~an alternative retirement plan, in In addition to any other~~ 1067  
~~sanction ~~it~~ a court imposes under section 2929.14, 2929.15,~~ 1068  
~~2929.16, 2929.17, or 2929.18 of the Revised Code but subject to~~ 1069  
~~division (B) of this section, the court shall order the forfeiture~~ 1070  
~~to the public retirement system or alternative retirement plan in~~ 1071  
~~which the offender was a member, contributor, or participant of~~ 1072  
~~the offender's right to a retirement allowance, pension,~~ 1073  
~~disability benefit, or other right or benefit, other than payment~~ 1074  
~~of the offender's accumulated contributions, ~~earned by reason of~~~~ 1075  
~~the offender's being a member of the public retirement system or~~ 1076  
~~alternative retirement plan. A if all of the following apply:~~ 1077

(1) The offender is being sentenced for an offense described 1078  
in division (D) of this section that was committed on or after the 1079  
appropriate date specified in that division. 1080

(2) The offense was committed within the context of the 1081  
offender's public employment in a position of honor, trust, or 1082  
profit. 1083

(3) At the time of the offense, the offender was one of the 1084  
following: 1085

(a) A member of a public retirement system; 1086

(b) A contributor to a public retirement system receiving or 1087  
eligible to receive a benefit under section 145.384, 742.26, 1088

3307.352, or 3309.344 of the Revised Code; 1089

(c) A participant in an alternative retirement plan. 1090

A forfeiture ordered under this division is part of, and 1091  
shall be included in, the sentence of the offender. The court 1092  
shall send a copy of the journal entry imposing sentence on the 1093  
offender to the appropriate public retirement system or 1094  
alternative retirement plan in which the offender was a member, 1095  
contributor, or participant. 1096

(B) In any case in which a sentencing court is required to 1097  
order forfeiture of an offender's right to a retirement allowance, 1098  
pension, disability benefit, or other right or benefit under 1099  
division (A) of this section, the offender may request a hearing 1100  
regarding the forfeiture by delivering to the court prior to 1101  
sentencing a written request for a hearing. If a request for a 1102  
hearing is made by the offender prior to sentencing, the court 1103  
shall conduct the hearing before sentencing. The court shall 1104  
notify the offender, the prosecutor who handled the case in which 1105  
the offender was convicted of or pleaded guilty to the offense for 1106  
which the forfeiture order was imposed, and the appropriate public 1107  
retirement system, or alternative retirement plan provider, 1108  
whichever is applicable, or, if more than one is specified in the 1109  
motion, the applicable combination of these, of the hearing. A 1110  
hearing scheduled under this division shall be limited to a 1111  
consideration of whether there is good cause based on evidence 1112  
presented by the offender for the forfeiture order not to be 1113  
issued. If the court determines based on evidence presented by the 1114  
offender that there is good cause for the forfeiture order not to 1115  
be issued, the court shall not issue the forfeiture order. If the 1116  
offender does not request a hearing prior to sentencing or if the 1117  
court conducts a hearing but does not determine based on evidence 1118  
presented by the offender that there is good cause for the 1119  
forfeiture order not to be issued, the court shall order the 1120

forfeiture described in division (A) of this section in accordance 1121  
with that division and shall send a copy of the journal entry 1122  
imposing sentence on the offender to the appropriate public 1123  
retirement system or alternative retirement plan in which the 1124  
offender was a member, contributor, or participant. 1125

(C) Upon receipt of a copy of the journal entry imposing 1126  
sentence on an offender under division (A) or (B) of this section 1127  
that contains an order of forfeiture of a type described in that 1128  
division, the public retirement system or alternative retirement 1129  
plan in which the offender was a member, contributor, or 1130  
participant shall comply with the forfeiture order on application 1131  
for a refund of the accumulated contributions of the member, 1132  
contributor, or participant. 1133

(D)~~(1)~~ Division (A) of this section applies ~~regarding to~~ an 1134  
offender who is convicted of or pleads guilty to any of the 1135  
following offenses committed on or after May 13, 2008, ~~that is a~~ 1136  
~~felony and who committed the offense while serving in a position~~ 1137  
~~of honor, trust, or profit:~~ 1138

~~(1)(a)~~ A violation of section 2921.02 or 2923.32 of the 1139  
Revised Code that is a felony or a violation of section 2921.41 of 1140  
the Revised Code that is a felony of the third degree; 1141

~~(2)(b)~~ A violation of an existing or former municipal 1142  
ordinance or law of this or any other state or the United States 1143  
that is substantially equivalent to any violation ~~listed~~ described 1144  
in division (D)(1)~~(a)~~ of this section; 1145

~~(3)(c)~~ A conspiracy to commit, attempt to commit, or 1146  
complicity in committing any violation ~~listed~~ described in 1147  
division (D)(1)~~(a)~~ or ~~described in division (D)(2)~~ (b) of this 1148  
section. 1149

(2) Division (A) of this section applies to an offender who 1150  
is convicted of or pleads guilty to any of the following offenses 1151

committed on or after the effective date of this amendment: 1152

(a) A violation of section 2905.11 or 2921.11 of the Revised Code that is a felony; 1153  
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(b) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation described in division (D)(2)(a) of this section; 1155  
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(c) A conspiracy to commit, attempt to commit, or complicity in committing any violation described in division (D)(2)(a) or (b) of this section. 1159  
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(E) For purposes of ~~divisions (A) and~~ division (D) of this section, ~~a~~ both of the following apply: 1162  
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(1) A violation of section 2923.32 of the Revised Code or any other violation or offense that includes as an element a course of conduct or the occurrence of multiple acts is "committed on or after May 13, 2008," if the course of conduct continues, one or more of the multiple acts occurs, or the ~~subject person's~~ offender's accountability for the course of conduct or for one or more of the multiple acts continues, on or after May 13, 2008; 1164  
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(2) A violation of section 2923.32 of the Revised Code or any other violation or offense that includes as an element a course of conduct or the occurrence of multiple acts is "committed on or after the effective date of this amendment" if the course of conduct continues, one or more of the multiple acts occurs, or the offender's accountability for the course of conduct or for one or more of the multiple acts continues on or after the effective date of this amendment. 1171  
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(F) As used in this section: 1179

(1)(a) For the period beginning May 13, 2008, and ending the day before ~~the effective date of this amendment~~ July 29, 2011, 1180  
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"position of honor, trust, or profit" means any of the following:	1182
(i) An elective office of the state or any political subdivision of the state;	1183 1184
(ii) A position on any board or commission of the state that is appointed by the governor or the attorney general;	1185 1186
(iii) A position as a public official or employee, as defined in section 102.01 of the Revised Code, who is required to file a disclosure statement under section 102.02 of the Revised Code;	1187 1188 1189
(iv) A position as a prosecutor, as defined in section 2935.01 of the Revised Code;	1190 1191
(v) A position as a peace officer, as defined in section 2935.01 of the Revised Code, or as the superintendent or a trooper of the state highway patrol.	1192 1193 1194
(b) On and after <del>the effective date of this amendment</del> <u>July 29, 2011</u> , "position of honor, trust, or profit" has the same meaning as in division (F)(1)(a) of this section, except that it also includes a position in which, in the course of public employment, an employee has control over the expenditure of public funds of one hundred thousand dollars or more annually.	1195 1196 1197 1198 1199 1200
(2) "Public retirement system" and "alternative retirement plan" have the same meanings as in section 2907.15 of the Revised Code.	1201 1202 1203
(3) "Accumulated contributions" means whichever of the following is applicable:	1204 1205
(a) Regarding an offender who is a member of, <u>or contributor to</u> , the public employees retirement system, except as otherwise provided in division (F)(3)(a) of this section, "accumulated contributions" has the same meaning as in section 145.01 of the Revised Code. For a member participating in a PERS defined contribution plan, "accumulated contributions" means the	1206 1207 1208 1209 1210 1211



contributions made under section 145.85 of the Revised Code and 1212  
any earnings on those contributions. For a member participating in 1213  
a PERS defined contribution plan that includes definitely 1214  
determinable benefits, "accumulated contributions" means the 1215  
contributions made under section 145.85 of the Revised Code, any 1216  
earnings on those contributions, and additionally any amounts paid 1217  
by the member to purchase service ~~credits~~ credit. 1218

(b) Regarding an offender who is or was a member of, or 1219  
contributor to, the Ohio police and fire pension fund, 1220  
"accumulated contributions" means the amount payable to a member 1221  
under division (G) of section 742.37 of the Revised Code. 1222

(c) Regarding an offender who is a member of, or contributor 1223  
to, the state teachers retirement system, except as otherwise 1224  
provided in division (F)(3)(c) of this section, "accumulated 1225  
contributions" has the same meaning as in section 3307.50 of the 1226  
Revised Code. For a member participating in an STRS defined 1227  
contribution plan, "accumulated contributions" means the 1228  
contributions made under section 3307.26 of the Revised Code to 1229  
participate in a plan established under section 3307.81 of the 1230  
Revised Code and any earnings on those contributions. For a member 1231  
participating in a STRS defined contribution plan that includes 1232  
definitely determinable benefits, "accumulated contributions" 1233  
means the contributions made under section 3307.26 of the Revised 1234  
Code to participate in a plan established under section 3307.81 of 1235  
the Revised Code, any earnings on those contributions, and 1236  
additionally any amounts paid by the member to purchase service 1237  
~~credits~~ credit. 1238

(d) Regarding an offender who is or was a member of, or 1239  
contributor to, the school employees retirement system, 1240  
"accumulated contributions" has the same meaning as in section 1241  
3309.01 of the Revised Code and also includes employee 1242  
contributions made under section 3309.85 of the Revised Code and 1243

any earnings on those contributions. 1244

(e) Regarding an offender who is or was a member of the state 1245  
highway patrol retirement system, "accumulated contributions" has 1246  
the same meaning as in section 5505.01 of the Revised Code. 1247

(f) Regarding an offender who is or was participating in an 1248  
alternative retirement plan, "accumulated contributions" means the 1249  
amounts contributed to an alternative retirement plan 1250  
participant's account by the plan participant pursuant to section 1251  
3305.06 of the Revised Code and any earnings on those 1252  
contributions. 1253

**Sec. 2929.193.** (A) As used in this section: 1254

(1) "Position of honor, trust, or profit" has the same 1255  
meaning as in division (F)(1)(b) of section 2929.192 of the 1256  
Revised Code. 1257

(2) "Public retirement system," "alternative retirement 1258  
plan," and "prosecutor" have the same meanings as in section 1259  
2907.15 of the Revised Code. 1260

(B) This section applies to an offender to whom all of the 1261  
following apply: 1262

(1) The offender is being sentenced for ~~an~~ either of the 1263  
following: 1264

(a) An offense listed described in division (D)(1) of section 1265  
2929.192 of the Revised Code that is a felony and was committed on 1266  
or after the effective date of this section July 29, 2011; 1267

(b) An offense described in division (D)(2) of section 1268  
2929.192 of the Revised Code that was committed on or after the 1269  
effective date of this amendment. 1270

(2) The offense was committed ~~while the offender was serving~~ 1271  
within the context of the offender's public employment in a 1272

position of honor, trust, or profit.	1273
(3) At the time of the offense, the offender was one of the following:	1274
(a) A member of a public retirement system;	1275
(b) A contributor to a public retirement system receiving or eligible to receive a benefit under section 145.384, 742.26, 3307.352, or 3309.344 of the Revised Code;	1276
(c) A participant in an alternative retirement plan.	1277
(4) Prior to the final disposition of the case, the offender was granted a disability benefit by a public retirement system or an alternative retirement plan provider.	1278
(C)(1) Prior to sentencing an offender subject to this section, the court shall hold a hearing regarding the condition for which the offender was granted a disability benefit. Not later than ten days prior to the scheduled date of the hearing, the court shall give written notice of the hearing to the offender, the prosecutor who handled the case, and the appropriate public retirement system, alternative retirement plan provider, or, if more than one is providing a disability benefit, the applicable combination of these. The hearing shall be limited to a consideration of whether the offender's disabling condition arose out of the commission of the offense the offender was convicted of or pleaded guilty to.	1279
The system or provider shall submit to the court the offender's medical reports and recommendations, and the offender's disability application. If the court determines based on those documents that the disabling condition arose out of the commission of the offense the offender was convicted of or pleaded guilty to, the court shall order the system or provider to terminate the disability benefit.	1280
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(2) Any disability benefit paid the offender prior to its 1303  
termination may be recovered in accordance with section 145.563, 1304  
742.64, 3305.22, 3307.47, 3309.70, or 5505.34 of the Revised Code. 1305

(D) For purposes of this section, a both of the following 1306  
apply: 1307

(1) A violation of section 2923.32 of the Revised Code or any 1308  
other violation or offense that includes as an element a course of 1309  
conduct or the occurrence of multiple acts is "committed on or 1310  
after ~~the effective date of this section~~ July 29, 2011," if the 1311  
course of conduct continues, one or more of the multiple acts 1312  
occurs, or the offender's accountability for the course of conduct 1313  
or for one or more of the multiple acts continues on or after ~~the~~ 1314  
~~effective date of this section~~ July 29, 2011; 1315

(2) A violation of section 2923.32 of the Revised Code or any 1316  
other violation or offense that includes as an element a course of 1317  
conduct or the occurrence of multiple acts is "committed on or 1318  
after the effective date of this amendment" if the course of 1319  
conduct continues, one or more of the multiple acts occurs, or the 1320  
offender's accountability for the course of conduct or for one or 1321  
more of the multiple acts continues on or after the effective date 1322  
of this amendment. 1323

**Sec. 3305.08.** Any payment, benefit, or other right accruing 1324  
to any electing employee under a contract entered into for 1325  
purposes of an alternative retirement plan and all moneys, 1326  
investments, and income of those contracts are exempt from any 1327  
state tax, except the tax imposed by section 5747.02 of the 1328  
Revised Code, are exempt from any county, municipal, or other 1329  
local tax, except income taxes imposed pursuant to section 1330  
5748.02, 5748.08, or 5748.09 of the Revised Code, and, except as 1331  
provided in sections 3105.171, 3105.65, 3115.32, 3119.80, 3119.81, 1332  
3121.02, 3121.03, 3123.06, 3305.09, ~~and~~ 3305.11 and 3305.12 of the 1333

Revised Code, shall not be subject to execution, garnishment, 1334  
attachment, the operation of bankruptcy or the insolvency law, or 1335  
other process of law, and shall be unassignable except as 1336  
specifically provided in this section and sections 3105.171, 1337  
3105.65, 3119.80, 3119.81, 3121.02, 3121.03, 3115.32, and 3123.06 1338  
of the Revised Code or in any contract the electing employee has 1339  
entered into for purposes of an alternative retirement plan. 1340

**Sec. 3305.11.** (A) Notwithstanding any other provision of this 1341  
chapter, any payment of accumulated contributions standing to a 1342  
person's credit under this chapter and any other amount or amounts 1343  
to be paid to a person who is a ~~contributor~~ participant in an 1344  
alternative retirement plan under this chapter upon the person's 1345  
withdrawal of contributions pursuant to this chapter shall be 1346  
subject to any forfeiture ordered under ~~division (A) or (B) of~~ 1347  
section 2901.433 or 2929.192 of the Revised Code, and the provider 1348  
of an alternative retirement plan shall comply with that order in 1349  
making the payment. Upon payment of the person's accumulated 1350  
contributions and cancellation of the corresponding service 1351  
credit, a person who is subject to the forfeiture described in 1352  
this division may not restore the canceled service credit under 1353  
this chapter or under Chapter 145., 742., 3307., 3309., or 5505. 1354  
of the Revised Code. 1355

(B) Notwithstanding any other provision of this chapter, if 1356  
the provider of an alternative retirement plan receives notice 1357  
pursuant to section 2901.43 or division (C) of section 2901.432 of 1358  
the Revised Code that a person who has accumulated contributions 1359  
standing to the person's credit pursuant to this chapter is 1360  
charged with any offense or violation ~~listed or~~ described in 1361  
~~divisions~~ division (B)(1) of section 2901.432 or division (D)(1) 1362  
~~to (3)~~ of section 2929.192 of the Revised Code ~~that is a felony in~~ 1363  
under the circumstances specified in ~~the particular division~~ those 1364  
sections, all of the following apply: 1365

(1) No payment of those accumulated contributions or of any other amount or amounts to be paid to a person who is a ~~contributor~~ participant under this chapter upon the person's withdrawal of contributions pursuant to this chapter shall be made prior to whichever of the following is applicable:

(a) If the person is convicted of or pleads guilty to the charge and forfeiture is ordered under ~~division (A) or (B) of section~~ either of the following:

(i) Section 2929.192 of the Revised Code, the day on which the provider receives from the court a copy of the journal entry of the offender's sentence under that section;

(ii) Section 2901.433 of the Revised Code, the day on which the provider receives from the court a copy of the journal entry imposing the forfeiture order under that section.

(b) If the charge against the person is dismissed, the person is found not guilty of the charge, or the person is found not guilty by reason of insanity of the charge, the day on which the provider receives notice of the final disposition of the charge.

(2) The provider of an alternative retirement plan shall not process any application for payment under this chapter from the person prior to the final disposition of the charge.

**Sec. 3305.12.** Notwithstanding any other provision of an alternative retirement plan provided under this chapter, a disability benefit granted under the alternative retirement plan is subject to an order issued under section 2901.434 or 2929.193 of the Revised Code. The entity providing the alternative retirement plan shall comply with the order.

On receipt of notice under section 2901.43 of the Revised Code that an alternative retirement plan participant is charged with an offense listed in division (D) of section 2929.192 of the

Revised Code under the circumstances specified in that ~~division~~ 1396  
section, the entity shall determine whether the participant has 1397  
been granted a disability benefit. If so, the entity shall send 1398  
written notice to the prosecutor assigned to the case that the 1399  
participant has been granted a disability benefit under an 1400  
alternative retirement plan and may be subject to section 2929.193 1401  
of the Revised Code. 1402

On receipt of notice under division (D) of section 2901.432 1403  
of the Revised Code that an alternative retirement plan 1404  
participant has been convicted of or pleaded guilty to an offense 1405  
listed in division (B)(1) of that section under the circumstances 1406  
specified in that section, the entity shall determine whether the 1407  
participant has been granted a disability benefit. If so, the 1408  
entity shall send written notice to the attorney general that the 1409  
participant has been granted a disability benefit under this 1410  
chapter and may be subject to section 2901.434 of the Revised 1411  
Code. 1412

**Sec. 3305.20.** As used in this section, "personal history 1413  
record" means information maintained by the entity providing an 1414  
alternative retirement plan on an individual who participates in 1415  
the plan that includes the address, telephone number, social 1416  
security number, record of contributions, correspondence with the 1417  
plan, or other information the entity providing the plan 1418  
determines to be confidential. 1419

The entity shall comply with orders issued under section 1420  
3105.87 of the Revised Code requiring it to provide information 1421  
from a participant's personal history record. 1422

The entity shall furnish information as follows: 1423

(A) On the written request of an alternate payee, as defined 1424  
in section 3105.80 of the Revised Code, the entity providing the 1425  
alternative retirement plan shall furnish to the alternate payee 1426

information on the amount and status of any amounts payable to the 1427  
alternate payee under an order issued under section 3105.171 or 1428  
3105.65 of the Revised Code. 1429

(B) Documentation required by section 2901.434 or 2929.193 of 1430  
the Revised Code shall be provided to a court holding a hearing 1431  
under that section. 1432

(C) The notice required by section 3305.12 of the Revised 1433  
Code shall be provided to the prosecutor assigned to the case. 1434

**Sec. 3307.20.** (A) As used in this section: 1435

(1) "Personal history record" means information maintained by 1436  
the state teachers retirement board on an individual who is a 1437  
member, former member, contributor, former contributor, retirant, 1438  
or beneficiary that includes the address, electronic mail address, 1439  
telephone number, social security number, record of contributions, 1440  
correspondence with the state teachers retirement system, or other 1441  
information the board determines to be confidential. 1442

(2) "Retirant" has the same meaning as in section 3307.50 of 1443  
the Revised Code and includes any former member receiving a 1444  
benefit under an STRS defined contribution plan. 1445

(B) The records of the board shall be open to public 1446  
inspection, except for the following, which shall be excluded, 1447  
except with the written authorization of the individual concerned: 1448

(1) The individual's personal records provided for in section 1449  
3307.23 of the Revised Code; 1450

(2) The individual's personal history record; 1451

(3) Any information identifying, by name and address, the 1452  
amount of a monthly allowance or benefit paid to the individual. 1453

(C)(1) All medical reports and recommendations received by 1454  
the board from a member, member's physician, board-assigned 1455



physician, or other entity providing medical reports and 1456  
recommendations to the board under sections 3307.48, 3307.62, and 1457  
3307.66 of the Revised Code are privileged, except as follows: 1458

(a) Copies of medical reports or recommendations shall be 1459  
made available by the board to the personal physician, attorney, 1460  
or authorized agent of the individual concerned upon written 1461  
release received from the individual or the individual's agent, 1462  
or, when necessary for the proper administration of the fund, to 1463  
the board assigned physician. 1464

(b) Documentation required by section 2901.434 or 2929.193 of 1465  
the Revised Code shall be provided to a court holding a hearing 1466  
under that section. 1467

(2) No medical report or recommendation received by the board 1468  
under section 3307.48, 3307.62, or 3307.66 of the Revised Code 1469  
shall be released to the individual concerned or considered a 1470  
medical record generated and maintained by a health care provider 1471  
in the process of establishing a therapeutic relationship. 1472

(D) Any person who is a member or contributor of the system 1473  
shall be furnished, on written request, with a statement of the 1474  
amount to the credit of the person's account. The board need not 1475  
answer more than one request of a person in any one year. 1476

(E) Notwithstanding the exceptions to public inspection in 1477  
division (B) of this section, the board may furnish the following 1478  
information: 1479

(1) If a member, former member, retirant, contributor, or 1480  
former contributor is subject to an order issued under section 1481  
2907.15 of the Revised Code or an order issued under division (A) 1482  
or (B) of section 2929.192 of the Revised Code or is convicted of 1483  
or pleads guilty to a violation of section 2921.41 of the Revised 1484  
Code, on written request of a prosecutor as defined in section 1485  
2935.01 of the Revised Code, the board shall furnish to the 1486

prosecutor the information requested from the individual's 1487  
personal history record. 1488

(2) Pursuant to a court or administrative order issued under 1489  
section 3119.80, 3119.81, 3121.02, 3121.03, or 3123.06 of the 1490  
Revised Code, the board shall furnish to a court or child support 1491  
enforcement agency the information required under that section. 1492

(3) At the written request of any person, the board shall 1493  
provide to the person a complete list of the names and addresses 1494  
of members, retirants, contributors, or beneficiaries. The costs 1495  
of compiling, copying, and mailing the list shall be paid by such 1496  
person. 1497

(4) Within fourteen days after receiving from the director of 1498  
job and family services a list of the names and social security 1499  
numbers of recipients of public assistance pursuant to section 1500  
5101.181 of the Revised Code, the board shall inform the auditor 1501  
of state of the name, current or most recent employer address, and 1502  
social security number of each member whose name and social 1503  
security number are the same as that of a person whose name or 1504  
social security number was submitted by the director. The board 1505  
and its employees shall, except for purposes of furnishing the 1506  
auditor of state with information required by this section, 1507  
preserve the confidentiality of recipients of public assistance in 1508  
compliance with section 5101.181 of the Revised Code. 1509

(5) The system shall comply with orders issued under section 1510  
3105.87 of the Revised Code. 1511

On the written request of an alternate payee, as defined in 1512  
section 3105.80 of the Revised Code, the system shall furnish to 1513  
the alternate payee information on the amount and status of any 1514  
amounts payable to the alternate payee under an order issued under 1515  
section 3105.171 or 3105.65 of the Revised Code. 1516

(6) At the request of any person, the board shall make 1517

available to the person copies of all documents, including 1518  
resumes, in the board's possession regarding filling a vacancy of 1519  
a contributing member or retired teacher member of the board. The 1520  
person who made the request shall pay the cost of compiling, 1521  
copying, and mailing the documents. The information described in 1522  
this division is a public record. 1523

(7) The system shall provide the notice required by section 1524  
3307.373 of the Revised Code to the prosecutor assigned to the 1525  
case. 1526

(F) A statement that contains information obtained from the 1527  
system's records that is signed by an officer of the retirement 1528  
system and to which the system's official seal is affixed, or 1529  
copies of the system's records to which the signature and seal are 1530  
attached, shall be received as true copies of the system's records 1531  
in any court or before any officer of this state. 1532

**Sec. 3307.372.** (A) Notwithstanding any other provision of 1533  
this chapter, any payment of accumulated contributions standing to 1534  
a person's credit under this chapter and any other amount or 1535  
amounts to be paid to a person who is a member or contributor 1536  
under this chapter upon the person's withdrawal of contributions 1537  
pursuant to this chapter shall be subject to any forfeiture 1538  
ordered under ~~division (A) or (B) of~~ section 2901.433 or 2929.192 1539  
of the Revised Code, and the state teachers retirement system 1540  
shall comply with that order in making the payment. Upon payment 1541  
of the person's accumulated contributions and cancellation of the 1542  
corresponding service credit, a person who is subject to the 1543  
forfeiture described in this division may not restore the canceled 1544  
service credit under this chapter or under Chapter 145., 742., 1545  
3305., 3309., or 5505. of the Revised Code. 1546

(B) Notwithstanding any other provision of this chapter, if 1547  
the system receives notice pursuant to section 2901.43 or division 1548

(C) of section 2901.432 of the Revised Code that a person who has 1549  
accumulated contributions standing to the person's credit pursuant 1550  
to this chapter is charged with any offense or violation ~~listed or~~ 1551  
~~described in divisions~~ division (B)(1) of section 2901.432 or 1552  
division (D)(1) to (3) of section 2929.192 of the Revised Code 1553  
~~that is a felony in~~ under the circumstances specified in ~~the~~ 1554  
~~particular division~~ those sections, all of the following apply: 1555

(1) No payment of those accumulated contributions or of any 1556  
other amount or amounts to be paid to a person who is a member or 1557  
contributor under this chapter upon the person's withdrawal of 1558  
contributions pursuant to this chapter shall be made prior to 1559  
whichever of the following is applicable: 1560

(a) If the person is convicted of or pleads guilty to the 1561  
charge and forfeiture is ordered under ~~division (A) or (B) of~~ 1562  
~~section~~ either of the following: 1563

(i) Section 2929.192 of the Revised Code, the day on which 1564  
the system receives from the court a copy of the journal entry of 1565  
the offender's sentence under that section; 1566

(ii) Section 2901.433 of the Revised Code, the day on which 1567  
the system receives from the court a copy of the journal entry 1568  
imposing the forfeiture order under that section. 1569

(b) If the charge against the person is dismissed, the person 1570  
is found not guilty of the charge, or the person is found not 1571  
guilty by reason of insanity of the charge, the day on which the 1572  
system receives notice of the final disposition of the charge. 1573

(2) The system shall not process any application for payment 1574  
under this chapter from the person prior to the final disposition 1575  
of the charge. 1576

**Sec. 3307.373.** Notwithstanding any other provision of this 1577  
chapter, a disability benefit granted under this chapter is 1578

subject to an order issued under section 2901.434 or 2929.193 of 1579  
the Revised Code. The state teachers retirement board shall comply 1580  
with the order. 1581

On receipt of notice under section 2901.43 of the Revised 1582  
Code that a state teachers retirement system member is charged 1583  
with an offense listed in division (D) of section 2929.192 of the 1584  
Revised Code under the circumstances specified in that ~~division~~ 1585  
section, the system shall determine whether the member has been 1586  
granted a disability benefit. If so, the system shall send written 1587  
notice to the prosecutor assigned to the case that the member has 1588  
been granted a disability benefit under this chapter and may be 1589  
subject to section 2929.193 of the Revised Code. 1590

On receipt of notice under division (D) of section 2901.432 1591  
of the Revised Code that a state teachers retirement system member 1592  
has been convicted of or pleaded guilty to an offense listed in 1593  
division (B)(1) of that section under the circumstances specified 1594  
in that section, the system shall determine whether the member has 1595  
been granted a disability benefit. If so, the system shall send 1596  
written notice to the attorney general that the member has been 1597  
granted a disability benefit under this chapter and may be subject 1598  
to section 2901.434 of the Revised Code. 1599

**Sec. 3309.22.** (A)(1) As used in this division, "personal 1600  
history record" means information maintained in any format by the 1601  
board on an individual who is a member, former member, 1602  
contributor, former contributor, retirant, or beneficiary that 1603  
includes the address, electronic mail address, telephone number, 1604  
social security number, record of contributions, correspondence 1605  
with the system, and other information the board determines to be 1606  
confidential. 1607

(2) The records of the board shall be open to public 1608  
inspection and may be made available in printed or electronic 1609

format, except for the following, which shall be excluded, except 1610  
with the written authorization of the individual concerned: 1611

(a) The individual's statement of previous service and other 1612  
information as provided for in section 3309.28 of the Revised 1613  
Code; 1614

(b) Any information identifying by name and address the 1615  
amount of a monthly allowance or benefit paid to the individual; 1616

(c) The individual's personal history record. 1617

(B) All medical reports and recommendations required by the 1618  
system are privileged except as follows: 1619

(1) Copies of medical reports or recommendations shall be 1620  
made available to the following: 1621

(a) The individual concerned, on written request; 1622

(b) The personal physician, attorney, or authorized agent of 1623  
the individual concerned on written release received from the 1624  
individual or the individual's agent; 1625

(c) The board assigned physician. 1626

(2) Documentation required by section 2901.434 or 2929.193 of 1627  
the Revised Code shall be provided to a court holding a hearing 1628  
under that section. 1629

(C) Any person who is a contributor of the system shall be 1630  
furnished, on written request, with a statement of the amount to 1631  
the credit of the person's account. The board need not answer more 1632  
than one such request of a person in any one year. 1633

(D) Notwithstanding the exceptions to public inspection in 1634  
division (A)(2) of this section, the board may furnish the 1635  
following information: 1636

(1) If a member, former member, contributor, former 1637  
contributor, or retirant is subject to an order issued under 1638

section 2907.15 of the Revised Code or an order issued under 1639  
division (A) or (B) of section 2929.192 of the Revised Code or is 1640  
convicted of or pleads guilty to a violation of section 2921.41 of 1641  
the Revised Code, on written request of a prosecutor as defined in 1642  
section 2935.01 of the Revised Code, the board shall furnish to 1643  
the prosecutor the information requested from the individual's 1644  
personal history record. 1645

(2) Pursuant to a court or administrative order issued under 1646  
section 3119.80, 3119.81, 3121.02, 3121.03, or 3123.06 of the 1647  
Revised Code, the board shall furnish to a court or child support 1648  
enforcement agency the information required under that section. 1649

(3) At the written request of any person, the board shall 1650  
provide to the person a list of the names and addresses of 1651  
members, former members, retirants, contributors, former 1652  
contributors, or beneficiaries. The costs of compiling, copying, 1653  
and mailing the list shall be paid by such person. 1654

(4) Within fourteen days after receiving from the director of 1655  
job and family services a list of the names and social security 1656  
numbers of recipients of public assistance pursuant to section 1657  
5101.181 of the Revised Code, the board shall inform the auditor 1658  
of state of the name, current or most recent employer address, and 1659  
social security number of each contributor whose name and social 1660  
security number are the same as that of a person whose name or 1661  
social security number was submitted by the director. The board 1662  
and its employees shall, except for purposes of furnishing the 1663  
auditor of state with information required by this section, 1664  
preserve the confidentiality of recipients of public assistance in 1665  
compliance with section 5101.181 of the Revised Code. 1666

(5) The system shall comply with orders issued under section 1667  
3105.87 of the Revised Code. 1668

On the written request of an alternate payee, as defined in 1669

section 3105.80 of the Revised Code, the system shall furnish to 1670  
the alternate payee information on the amount and status of any 1671  
amounts payable to the alternate payee under an order issued under 1672  
section 3105.171 or 3105.65 of the Revised Code. 1673

(6) At the request of any person, the board shall make 1674  
available to the person copies of all documents, including 1675  
resumes, in the board's possession regarding filling a vacancy of 1676  
an employee member or retirant member of the board. The person who 1677  
made the request shall pay the cost of compiling, copying, and 1678  
mailing the documents. The information described in this division 1679  
is a public record. 1680

(7) The system shall provide the notice required by section 1681  
3309.673 of the Revised Code to the prosecutor assigned to the 1682  
case. 1683

(E) A statement that contains information obtained from the 1684  
system's records that is signed by an officer of the retirement 1685  
system and to which the system's official seal is affixed, or 1686  
copies of the system's records to which the signature and seal are 1687  
attached, shall be received as true copies of the system's records 1688  
in any court or before any officer of this state. 1689

**Sec. 3309.672.** (A) Notwithstanding any other provision of 1690  
this chapter, any payment of accumulated contributions standing to 1691  
a person's credit under this chapter and any other amount or 1692  
amounts to be paid to a person who is a member or contributor 1693  
under this chapter upon the person's withdrawal of contributions 1694  
pursuant to this chapter shall be subject to any forfeiture 1695  
ordered under ~~division (A) or (B) of~~ section 2901.433 or 2929.192 1696  
of the Revised Code, and the school employees retirement system 1697  
shall comply with that order in making the payment. Upon payment 1698  
of the person's accumulated contributions and cancellation of the 1699  
corresponding service credit, a person who is subject to the 1700



forfeiture described in this division may not restore the canceled 1701  
service credit under this chapter or under Chapter 145., 742., 1702  
3305., 3307., or 5505. of the Revised Code. 1703

(B) Notwithstanding any other provision of this chapter, if 1704  
the system receives notice pursuant to section 2901.43 or division 1705  
(C) of section 2901.432 of the Revised Code that a person who has 1706  
accumulated contributions standing to the person's credit pursuant 1707  
to this chapter is charged with any offense or violation ~~listed or~~ 1708  
described in ~~divisions~~ division (B)(1) of section 2901.432 or 1709  
division (D)(1) to (3) of section 2929.192 of the Revised Code 1710  
~~that is a felony in~~ under the circumstances specified in ~~the~~ 1711  
~~particular division~~ those sections, all of the following apply: 1712

(1) No payment of those accumulated contributions or of any 1713  
other amount or amounts to be paid to a person who is a member or 1714  
contributor under this chapter upon the person's withdrawal of 1715  
contributions pursuant to this chapter shall be made prior to 1716  
whichever of the following is applicable: 1717

(a) If the person is convicted of or pleads guilty to the 1718  
charge and forfeiture is ordered under ~~division (A) or (B) of~~ 1719  
~~section~~ either of the following: 1720

(i) Section 2929.192 of the Revised Code, the day on which 1721  
the system receives from the court a copy of the journal entry of 1722  
the offender's sentence under that section; 1723

(ii) Section 2901.433 of the Revised Code, the day on which 1724  
the system receives from the court a copy of the journal entry 1725  
imposing the forfeiture order under that section. 1726

(b) If the charge against the person is dismissed, the person 1727  
is found not guilty of the charge, or the person is found not 1728  
guilty by reason of insanity of the charge, the day on which the 1729  
system receives notice of the final disposition of the charge. 1730

(2) The system shall not process any application for payment 1731

under this chapter from the person prior to the final disposition 1732  
of the charge. 1733

**Sec. 3309.673.** Notwithstanding any other provision of this 1734  
chapter, a disability benefit granted under this chapter is 1735  
subject to an order issued under section 2901.434 or 2929.193 of 1736  
the Revised Code. The school employees retirement board shall 1737  
comply with the order. 1738

On receipt of notice under section 2901.43 of the Revised 1739  
Code that a school employees retirement system member is charged 1740  
with an offense listed in division (D) of section 2929.192 of the 1741  
Revised Code under the circumstances specified in that ~~division~~ 1742  
section, the system shall determine whether the member has been 1743  
granted a disability benefit. If so, the system shall send written 1744  
notice to the prosecutor assigned to the case that the member has 1745  
been granted a disability benefit under this chapter and may be 1746  
subject to section 2929.193 of the Revised Code. 1747

On receipt of notice under division (D) of section 2901.432 1748  
of the Revised Code that a school employees retirement system 1749  
member has been convicted of or pleaded guilty to an offense 1750  
listed in division (B)(1) of that section under the circumstances 1751  
specified in that section, the system shall determine whether the 1752  
member has been granted a disability benefit. If so, the system 1753  
shall send written notice to the attorney general that the member 1754  
has been granted a disability benefit under this chapter and may 1755  
be subject to section 2901.434 of the Revised Code. 1756

**Sec. 3309.691.** The school employees retirement board ~~shall~~ 1757  
may establish a program under which members of the retirement 1758  
system, employers on behalf of members, and persons receiving 1759  
service, disability, or survivor benefits are permitted to 1760  
participate in contracts for long-term health care insurance. 1761

Participation may include dependents and family members. If a 1762  
participant in a contract for long-term care insurance leaves 1763  
employment, the participant and the participant's dependents and 1764  
family members may, at their election, continue to participate in 1765  
a program established under this section in the same manner as if 1766  
the participant had not left employment, except that no part of 1767  
the cost of the insurance shall be paid by the participant's 1768  
former employer. 1769

Such program may be established independently or jointly with 1770  
one or more of the other retirement systems. For purposes of this 1771  
section, "retirement systems" has the same meaning as in division 1772  
(A) of section 145.581 of the Revised Code. 1773

The board may enter into an agreement with insurance 1774  
companies, health insuring corporations, or government agencies 1775  
authorized to do business in the state for issuance of a long-term 1776  
care insurance policy or contract. However, prior to entering into 1777  
such an agreement with an insurance company or health insuring 1778  
corporation, the board shall request the superintendent of 1779  
insurance to certify the financial condition of the company or 1780  
corporation. The board shall not enter into the agreement if, 1781  
according to that certification, the company or corporation is 1782  
insolvent, is determined by the superintendent to be potentially 1783  
unable to fulfill its contractual obligations, or is placed under 1784  
an order of rehabilitation or conservation by a court of competent 1785  
jurisdiction or under an order of supervision by the 1786  
superintendent. 1787

The board ~~shall~~ may adopt rules in accordance with section 1788  
111.15 of the Revised Code governing the program. ~~The~~ Any rules 1789  
adopted by the board shall establish methods of payment for 1790  
participation under this section, which may include establishment 1791  
of a payroll deduction plan under section 3309.27 of the Revised 1792  
Code, deduction of the full premium charged from a person's 1793

service, disability, or survivor benefit, or any other method of 1794  
payment considered appropriate by the board. If the program is 1795  
established jointly with one or more of the other retirement 1796  
systems, the rules also shall establish the terms and conditions 1797  
of such joint participation. 1798

**Sec. 5505.04.** (A)(1) The general administration and 1799  
management of the state highway patrol retirement system and the 1800  
making effective of this chapter are hereby vested in the state 1801  
highway patrol retirement board. The board may sue and be sued, 1802  
plead and be impleaded, contract and be contracted with, and do 1803  
all things necessary to carry out this chapter. 1804

The board shall consist of the following members: 1805

(a) The superintendent of the state highway patrol; 1806

(b) Two retirant members who reside in this state; 1807

(c) Five employee-members; 1808

(d) One member, known as the treasurer of state's investment 1809  
designee, who shall be appointed by the treasurer of state for a 1810  
term of four years and who shall have the following 1811  
qualifications: 1812

(i) The member is a resident of this state. 1813

(ii) Within the three years immediately preceding the 1814  
appointment, the member has not been employed by the public 1815  
employees retirement system, police and fire pension fund, state 1816  
teachers retirement system, school employees retirement system, or 1817  
state highway patrol retirement system or by any person, 1818  
partnership, or corporation that has provided to one of those 1819  
retirement systems services of a financial or investment nature, 1820  
including the management, analysis, supervision, or investment of 1821  
assets. 1822

(iii) The member has direct experience in the management, 1823

analysis, supervision, or investment of assets. 1824

(iv) The member is not currently employed by the state or a 1825  
political subdivision of the state. 1826

(e) Two investment expert members, who shall be appointed to 1827  
four-year terms. One investment expert member shall be appointed 1828  
by the governor, and one investment expert member shall be jointly 1829  
appointed by the speaker of the house of representatives and the 1830  
president of the senate. Each investment expert member shall have 1831  
the following qualifications: 1832

(i) Each investment expert member shall be a resident of this 1833  
state. 1834

(ii) Within the three years immediately preceding the 1835  
appointment, each investment expert member shall not have been 1836  
employed by the public employees retirement system, police and 1837  
fire pension fund, state teachers retirement system, school 1838  
employees retirement system, or state highway patrol retirement 1839  
system or by any person, partnership, or corporation that has 1840  
provided to one of those retirement systems services of a 1841  
financial or investment nature, including the management, 1842  
analysis, supervision, or investment of assets. 1843

(iii) Each investment expert member shall have direct 1844  
experience in the management, analysis, supervision, or investment 1845  
of assets. 1846

(2) The board shall annually elect a chairperson and 1847  
vice-chairperson from among its members. The vice-chairperson 1848  
shall act as chairperson in the absence of the chairperson. A 1849  
majority of the members of the board shall constitute a quorum and 1850  
any action taken shall be approved by a majority of the members of 1851  
the board. The board shall meet not less than once each year, upon 1852  
sufficient notice to the members. All meetings of the board shall 1853  
be open to the public except executive sessions as set forth in 1854

division (G) of section 121.22 of the Revised Code, and any 1855  
portions of any sessions discussing medical records or the degree 1856  
of disability of a member excluded from public inspection by this 1857  
section. 1858

(3) Any investment expert member appointed to fill a vacancy 1859  
occurring prior to the expiration of the term for which the 1860  
member's predecessor was appointed holds office until the end of 1861  
such term. The member continues in office subsequent to the 1862  
expiration date of the member's term until the member's successor 1863  
takes office, or until a period of sixty days has elapsed, 1864  
whichever occurs first. 1865

(B) The attorney general shall prescribe procedures for the 1866  
adoption of rules authorized under this chapter, consistent with 1867  
the provision of section 111.15 of the Revised Code under which 1868  
all rules shall be filed in order to be effective. Such procedures 1869  
shall establish methods by which notice of proposed rules are 1870  
given to interested parties and rules adopted by the board 1871  
published and otherwise made available. When it files a rule with 1872  
the joint committee on agency rule review pursuant to section 1873  
111.15 of the Revised Code, the board shall submit to the Ohio 1874  
retirement study council a copy of the full text of the rule, and 1875  
if applicable, a copy of the rule summary and fiscal analysis 1876  
required by division (B) of section 127.18 of the Revised Code. 1877

(C)(1) As used in this division, "personal history record" 1878  
means information maintained by the board on an individual who is 1879  
a member, former member, retirant, or beneficiary that includes 1880  
the address, telephone number, social security number, record of 1881  
contributions, correspondence with the system, and other 1882  
information the board determines to be confidential. 1883

(2) The records of the board shall be open to public 1884  
inspection, except for the following which shall be excluded: the 1885  
member's, former member's, retirant's, or beneficiary's personal 1886

history record and the amount of a monthly allowance or benefit 1887  
paid to a retirant, beneficiary, or survivor, except with the 1888  
written authorization of the individual concerned. 1889

(D) All medical reports and recommendations are privileged 1890  
except as follows: 1891

(1) Copies of such medical reports or recommendations shall 1892  
be made available to the individual's personal physician, 1893  
attorney, or authorized agent upon written release received from 1894  
such individual or such individual's agent, or when necessary for 1895  
the proper administration of the fund to the board-assigned 1896  
physician. 1897

(2) Documentation required by section 2901.434 or 2929.193 of 1898  
the Revised Code shall be provided to a court holding a hearing 1899  
under that section. 1900

(E) Notwithstanding the exceptions to public inspection in 1901  
division (C)(2) of this section, the board may furnish the 1902  
following information: 1903

(1) If a member, former member, or retirant is subject to an 1904  
order issued under section 2907.15 of the Revised Code or an order 1905  
issued under division (A) or (B) of section 2929.192 of the 1906  
Revised Code or is convicted of or pleads guilty to a violation of 1907  
section 2921.41 of the Revised Code, on written request of a 1908  
prosecutor as defined in section 2935.01 of the Revised Code, the 1909  
board shall furnish to the prosecutor the information requested 1910  
from the individual's personal history record. 1911

(2) Pursuant to a court order issued under Chapters 3119., 1912  
3121., and 3123. of the Revised Code, the board shall furnish to a 1913  
court or child support enforcement agency the information required 1914  
under those chapters. 1915

(3) At the written request of any nonprofit organization or 1916  
association providing services to retirement system members, 1917

retirants, or beneficiaries, the board shall provide to the 1918  
organization or association a list of the names and addresses of 1919  
members, former members, retirants, or beneficiaries if the 1920  
organization or association agrees to use such information solely 1921  
in accordance with its stated purpose of providing services to 1922  
such individuals and not for the benefit of other persons, 1923  
organizations, or associations. The costs of compiling, copying, 1924  
and mailing the list shall be paid by such entity. 1925

(4) Within fourteen days after receiving from the director of 1926  
job and family services a list of the names and social security 1927  
numbers of recipients of public assistance pursuant to section 1928  
5101.181 of the Revised Code, the board shall inform the auditor 1929  
of state of the name, current or most recent employer address, and 1930  
social security number of each member whose name and social 1931  
security number are the same as those of a person whose name or 1932  
social security number was submitted by the director. The board 1933  
and its employees, except for purposes of furnishing the auditor 1934  
of state with information required by this section, shall preserve 1935  
the confidentiality of recipients of public assistance in 1936  
compliance with section 5101.181 of the Revised Code. 1937

(5) The system shall comply with orders issued under section 1938  
3105.87 of the Revised Code. 1939

On the written request of an alternate payee, as defined in 1940  
section 3105.80 of the Revised Code, the system shall furnish to 1941  
the alternate payee information on the amount and status of any 1942  
amounts payable to the alternate payee under an order issued under 1943  
section 3105.171 or 3105.65 of the Revised Code. 1944

(6) At the request of any person, the board shall make 1945  
available to the person copies of all documents, including 1946  
resumes, in the board's possession regarding filling a vacancy of 1947  
an employee member or retirant member of the board. The person who 1948  
made the request shall pay the cost of compiling, copying, and 1949



mailing the documents. The information described in this division 1950  
is a public record. 1951

(7) The system shall provide the notice required by section 1952  
5505.263 of the Revised Code to the prosecutor assigned to the 1953  
case. 1954

(F) A statement that contains information obtained from the 1955  
system's records that is certified and signed by an officer of the 1956  
retirement system and to which the system's official seal is 1957  
affixed, or copies of the system's records to which the signature 1958  
and seal are attached, shall be received as true copies of the 1959  
system's records in any court or before any officer of this state. 1960

**Sec. 5505.262.** (A) Notwithstanding any other provision of 1961  
this chapter, any payment of accumulated contributions standing to 1962  
a person's credit under this chapter and any other amount or 1963  
amounts to be paid to a person who is a member or contributor 1964  
under this chapter upon the person's withdrawal of contributions 1965  
pursuant to this chapter shall be subject to any forfeiture 1966  
ordered under ~~division (A) or (B)~~ of section 2901.433 or 2929.192 1967  
of the Revised Code, and the state highway patrol retirement 1968  
system shall comply with that order in making the payment. Upon 1969  
payment of the person's accumulated contributions and cancellation 1970  
of the corresponding service credit, a person who is subject to 1971  
the forfeiture described in this division may not restore the 1972  
canceled service credit under this chapter or under Chapter 145., 1973  
742., 3305., 3307., or 3309. of the Revised Code. 1974

(B) Notwithstanding any other provision of this chapter, if 1975  
the system receives notice pursuant to section 2901.43 or division 1976  
(C) of section 2901.432 of the Revised Code that a person who has 1977  
accumulated contributions standing to the person's credit pursuant 1978  
to this chapter is charged with any offense or violation ~~listed or~~ 1979  
described in ~~divisions~~ division (B)(1) of section 2901.432 or 1980

~~division (D)(1) to (3)~~ of section 2929.192 of the Revised Code 1981  
~~that is a felony in~~ under the circumstances specified in ~~the~~ 1982  
~~particular division~~ those sections, all of the following apply: 1983

(1) No payment of those accumulated contributions or of any 1984  
other amount or amounts to be paid to a person who is a member or 1985  
contributor under this chapter upon the person's withdrawal of 1986  
contributions pursuant to this chapter shall be made prior to 1987  
whichever of the following is applicable: 1988

(a) If the person is convicted of or pleads guilty to the 1989  
charge and forfeiture is ordered under ~~division (A) or (B) of~~ 1990  
section either of the following: 1991

(i) Section 2929.192 of the Revised Code, the day on which 1992  
the system receives from the court a copy of the journal entry of 1993  
the offender's sentence under that section; 1994

(ii) Section 2901.433 of the Revised Code, the day on which 1995  
the system receives from the court a copy of the journal entry 1996  
imposing the forfeiture order under that section. 1997

(b) If the charge against the person is dismissed, the person 1998  
is found not guilty of the charge, or the person is found not 1999  
guilty by reason of insanity of the charge, the day on which the 2000  
system receives notice of the final disposition of the charge. 2001

(2) The system shall not process any application for payment 2002  
under this chapter from the person prior to the final disposition 2003  
of the charge. 2004

**Sec. 5505.263.** Notwithstanding any other provision of this 2005  
chapter, a disability benefit granted under this chapter is 2006  
subject to an order issued under section 2901.434 or 2929.193 of 2007  
the Revised Code. The state highway patrol retirement board shall 2008  
comply with the order. 2009

On receipt of notice under section 2901.43 of the Revised 2010

Code that a state highway patrol retirement system member is 2011  
charged with an offense listed in division (D) of section 2929.192 2012  
of the Revised Code under the circumstances specified in that 2013  
~~division~~ section, the system shall determine whether the member 2014  
has been granted a disability benefit. If so, the system shall 2015  
send written notice to the prosecutor assigned to the case that 2016  
the member has been granted a disability benefit under this 2017  
chapter and may be subject to section 2929.193 of the Revised 2018  
Code. 2019

On receipt of notice under division (D) of section 2901.432 2020  
of the Revised Code that a state highway patrol retirement system 2021  
member has been convicted of or pleaded guilty to an offense 2022  
listed in division (B)(1) of that section under the circumstances 2023  
specified in that section, the system shall determine whether the 2024  
member has been granted a disability benefit. If so, the system 2025  
shall send written notice to the attorney general that the member 2026  
has been granted a disability benefit under this chapter and may 2027  
be subject to section 2901.434 of the Revised Code. 2028

**Sec. 5505.33.** (A) As used in this section: 2029

(1) "Long-term care insurance" has the same meaning as in 2030  
section 3923.41 of the Revised Code. 2031

(2) "Retirement systems" has the same meaning as in division 2032  
(A) of section 145.581 of the Revised Code. 2033

(B) The state highway patrol retirement board ~~shall~~ may 2034  
establish a program under which members of the retirement system, 2035  
employers on behalf of members, and persons receiving service or 2036  
disability pensions or survivor benefits are permitted to 2037  
participate in contracts for long-term care insurance. 2038  
Participation may include dependents and family members. If a 2039  
participant in a contract for long-term care insurance leaves 2040  
employment, the person and the person's dependents and family 2041

members may, at their election, continue to participate in a 2042  
program established under this section in the same manner as if 2043  
the person had not left employment, except that no part of the 2044  
cost of the insurance shall be paid by the person's former 2045  
employer. Such program may be established independently or jointly 2046  
with one or more of the retirement systems. 2047

(C) The board may enter into an agreement with insurance 2048  
companies, health insuring corporations, or government agencies 2049  
authorized to do business in the state for issuance of a long-term 2050  
care insurance policy or contract. However, prior to entering into 2051  
such an agreement with an insurance company or health insuring 2052  
corporation, the board shall request the superintendent of 2053  
insurance to certify the financial condition of the company or 2054  
corporation. The board shall not enter into the agreement if, 2055  
according to that certification, the company or corporation is 2056  
insolvent, is determined by the superintendent to be potentially 2057  
unable to fulfill its contractual obligations, or is placed under 2058  
an order of rehabilitation or conservation by a court of competent 2059  
jurisdiction or under an order of supervision by the 2060  
superintendent. 2061

(D) The board ~~shall~~ may adopt rules in accordance with 2062  
section 111.15 of the Revised Code governing the program. ~~The~~ Any 2063  
rules adopted by the board shall establish methods of payment for 2064  
participation under this section, which may include establishment 2065  
of a payroll deduction plan under section 5505.203 of the Revised 2066  
Code, deduction of the full premium charged from a person's 2067  
service or disability pension or survivor benefit, or any other 2068  
method of payment considered appropriate by the board. If the 2069  
program is established jointly with one or more of the other 2070  
retirement systems, the rules also shall establish the terms and 2071  
conditions of such joint participation. 2072

**Section 2.** That existing sections 145.27, 145.572, 145.573, 2073  
145.581, 742.41, 742.463, 742.464, 742.53, 2329.66, 2901.43, 2074  
2929.192, 2929.193, 3305.08, 3305.11, 3305.12, 3305.20, 3307.20, 2075  
3307.372, 3307.373, 3309.22, 3309.672, 3309.673, 3309.691, 2076  
5505.04, 5505.262, 5505.263, and 5505.33 of the Revised Code are 2077  
hereby repealed. 2078

**Section 3.** Section 2329.66 of the Revised Code is presented 2079  
in this act as a composite of the section as amended by both Sub. 2080  
H.B. 479 and Sub. S.B. 343 of the 129th General Assembly. The 2081  
General Assembly, applying the principle stated in division (B) of 2082  
section 1.52 of the Revised Code that amendments are to be 2083  
harmonized if reasonably capable of simultaneous operation, finds 2084  
that the composite is the resulting version of the section in 2085  
effect prior to the effective date of the section as presented in 2086  
this act. 2087