

contribution plan. ~~If~~ Unless a form evidencing an election is ~~not~~ received by the system ~~not later than the last day of the one hundred eighty day period on or before that date,~~ a member or contributor to whom this section applies is deemed to have elected to continue participating in the PERS defined benefit plan.

(B) An election under this section shall be made in writing on a form provided by the system and filed with the system.

(C) ~~On receipt of the request of a member or contributor who made an election under this section, the system shall do both of the following:~~

~~(1) Credit credit to the plan elected both of the following:~~

~~(a) Any employer contributions attributable to the member for the period beginning on the day the board first established a PERS defined contribution plan;~~

~~(b) All the accumulated contributions attributable standing to the credit of the member or contributor;~~

~~(2) Cancel in the employees' savings fund and cancel all service credit and eligibility for any payment, benefit, or right under the PERS defined benefit plan.~~

(D) For each member or contributor who elected under this section to participate in a PERS defined contribution plan and made a request under division (C) of this section, any additional deposits that were made by the member or contributor prior to April 6, 2007, under the version of division (C) of section 145.23 of the Revised Code as it existed immediately prior to that date shall be credited to the defined contribution plan.

~~(E)~~ (E) An election under this section is effective as of ~~the date the board first established a PERS defined contribution plan January 1, 2003,~~ and, except as provided in section 145.814 of the Revised Code or rules governing the PERS defined benefit plan, is irrevocable on receipt by the system.

~~(F)~~ (F) An election may not be made under this section by a member or contributor who is either of the following:

(1) A PERS retirant who is a member under division ~~(C)~~ (D) of section 145.38 of the Revised Code;

(2) A PERS law enforcement officer or a PERS public safety officer.

Sec. 145.192. Except as provided in section ~~145.195,~~ 145.814 ~~and,~~ or in division (C) of section 145.82 of the Revised Code, a member of the public employees retirement system who elects to participate in a PERS defined contribution plan shall be ineligible for any benefit or payment under the PERS defined benefit plan and shall be forever barred from claiming or purchasing service credit with the system or any other Ohio state retirement

system, as defined in section 145.30 of the Revised Code, for service covered by the election.

Sec. 145.193. Except as provided in section 145.194 or division (C)(4) of section 3305.05 and division (F) of section 3305.051 of the Revised Code, an election made or deemed to have been made under section 145.19 or 145.191 of the Revised Code applies to all positions subject to this chapter for which the member is contributing under section 145.47 or 145.85 of the Revised Code. **A**

A member who terminates employment in all positions subject to this chapter, receives a refund of the member's contributions made under section 145.47 or 145.85 of the Revised Code, and later becomes employed in a position subject to this chapter may make an election under section 145.19 of the Revised Code as provided by that section.

Sec. 145.194. (A) A member participating in a PERS defined contribution plan at the time of commencing employment as a PERS law enforcement officer or PERS public safety officer shall cease making contributions to that plan. During employment as a PERS law enforcement officer or a PERS public safety officer and any concurrent employment in a position subject to this chapter, the member shall contribute only to the PERS defined benefit plan.

(B) A member described in division (A) of this section with contributions standing to the member's credit in a PERS defined contribution plan may elect to have those contributions deposited and credited in the PERS defined benefit plan in accordance with section 145.814 of the Revised Code and rules governing the PERS defined benefit plan.

Sec. 145.195. The public employees retirement system may, in accordance with rules it adopts under this section, permit a member who participated in both the PERS defined benefit plan and one or more PERS defined contribution plans to combine years of service as a member for the purpose of determining eligibility for a benefit under section 145.32, 145.331, or 145.332 of the Revised Code, or a benefit under a PERS defined contribution plan.

Sec. 145.20. (A) Any elective official of the state of Ohio or of any political subdivision thereof having employees in the public employees retirement system shall be considered as an employee of the state or such political subdivision, and may become a member of the system upon application to the public employees retirement board, with all the rights, privileges, and obligations of membership. An elective official who becomes a member of the system on or after ~~the date the public employees~~