

- (3) Additional increases under section 145.323 of the Revised Code;
- (4) A refund of contributions made by or on behalf of a member.

With respect to the benefits described in division (C)(1) of this section, the public employees retirement board may establish eligibility requirements and benefit formulas or amounts that differ from those of members participating in the PERS defined benefit plan. With respect to the purchase of service credit by a member participating in a PERS defined contribution plan, the board may reduce the cost of the service credit to reflect the different benefit formula established for the member.

Sec. 145.83. A PERS defined contribution plan may include a program described in section 145.583 of the Revised Code under which a ~~participating~~ member participating in the plan is required to accumulate a portion of the amount contributed under section 145.86 of the Revised Code for the purpose of providing funds to the member for the payment of health, medical, hospital, surgical, dental, or vision care expenses, including insurance premiums, deductible amounts, or copayments as described in that section. ~~The program may be a voluntary employees' beneficiary association, as described in section 501(e)(9) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(e)(9), as amended; a medical savings account; or a similar type of program under which an individual may accumulate funds for the purpose of paying such expenses. To implement the program, the public employees retirement board may enter into agreements with insurance companies or other entities authorized to conduct business in this state.~~

If a PERS defined contribution plan includes a program described in this section, the public employees retirement board shall adopt rules to ~~establish and administer the program. The rules shall~~ specify the length of time during which the member will vest in amounts accumulated on the member's behalf and may provide for a minimum annual distribution from the accumulated amount after the member terminates employment in positions subject to this chapter.

Sec. 145.87. For each member participating in a PERS defined contribution plan, the public employees retirement system ~~shall~~ may transfer to the employers' accumulation fund a portion of the employer contribution required under section 145.48 of the Revised Code. ~~The~~ If the public employees retirement board elects to make a transfer under this section, the portion transferred shall ~~equal~~ not exceed the percentage of earnable salary of members for whom the contributions are being made that is determined by an actuary appointed by the ~~public employees retirement~~ board to be necessary to mitigate any negative financial impact on the system of

members' participation in a plan.

The board ~~shall have prepared annually~~ may have prepared, at intervals determined by the board, an actuarial study to determine whether ~~the percentage transferred~~ a transfer under this section ~~should be changed~~ is necessary to reflect a change in the level of negative financial impact resulting from members' participation in a plan. The percentage transferred, if any, shall be increased or decreased to reflect the amount needed to mitigate the negative financial impact, if any, on the system, as determined by the study. A change in the percentage transferred shall take effect on ~~the first day of the year following the date the conclusions of the study are reported to~~ a date determined by the board.

~~The~~ If a transfer under this section is made, the system shall make the transfer ~~required under this section~~ until the unfunded actuarial accrued liability for all benefits, except health care benefits provided under section ~~145.325 or~~ 145.58 or 145.584 of the Revised Code and benefit increases to members and former members participating in the PERS defined benefit plan granted after September 21, 2000, is fully amortized, as determined by the annual actuarial valuation prepared under section 145.22 of the Revised Code.

Sec. 145.88. Amounts contributed under sections 145.85 and 145.86 of the Revised Code, and any earnings on those amounts, shall be deposited and credited in accordance with the PERS defined contribution plan that is selected by the member. The plan may include provisions authorizing the public employees retirement system to do either of the following:

(A) Withhold from the amounts contributed under ~~section~~ sections 145.85 and 145.86 of the Revised Code a percentage of earnable salary that is determined by an actuary appointed by the public employees retirement board to be necessary to administer the plan;

(B) Withhold from the amounts contributed under section 145.86 of the Revised Code a percentage of earnable salary for the purpose of funding health care insurance coverage or any other type of health care benefit for a member participating in the plan.

Sec. 145.92. If a member participating in a PERS defined contribution plan is married at the time benefits under the plan are to commence, unless the spouse consents to another plan of payment or the spouse's consent is waived, the member's ~~retirement allowance~~ benefit under the plan shall be paid in a lesser amount payable for life and one-half of ~~the allowance~~ that amount continuing after death to the surviving spouse for the life of the spouse.

Consent is valid only if it is evidenced by a written document signed by