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Sec. 3305.06. (A) Each electing employee shall contribute an amount, which shall be a certain percentage of the employee's compensation, to the alternative retirement plan in which the employee participates. This percentage shall be the percentage the electing employee would have otherwise been required to contribute to the state retirement system that applies to the employee's position, except that the percentage shall not be less than three per cent. Employee contributions under this division may be treated as employer contributions in accordance with Internal Revenue Code 414(h).

(B) Each public institution of higher education employing an electing employee shall contribute an amount, which shall be a certain percentage of the employee's compensation, to the alternative retirement plan the employee has elected. This percentage shall be determined by the board of trustees of the public institution.

(C)(1) In no event shall the amount contributed by the electing employee pursuant to division (A) of this section and on the electing employee's behalf pursuant to division (B) of this section be less than the amount necessary to qualify the plan as a state retirement system pursuant to Internal Revenue Code 3121(B)(7) and the regulations adopted thereunder.

(2) The full amount of the electing employee's contribution under division (A) of this section and the full amount of the employer's contribution made on behalf of that employee under division (B) of this section shall be paid to the entity providing the employee's alternative retirement plan for application to that plan in accordance with any contract the electing employee has entered into for purposes of that plan. In no event shall any benefits be paid under that plan prior to the time an electing employee ceases to be continuously employed.

(D) An electing employee may make voluntary deposits to the employee's alternative retirement plan in addition to the employee contribution required under division (A) of this section.

(E) Each public institution of higher education employing an electing employee shall contribute on behalf of that employee to the state retirement system that otherwise applies to the electing employee's position an amount equal to six per cent of the electing employee's compensation to mitigate any negative financial impact of the alternative retirement program on the state retirement system; provided that on the first day of July following the first year after the department of insurance designates an alternative retirement plan under section 3305.03 of the Revised Code and every third year thereafter, the Ohio retirement study council shall cause an independent actuarial study to be completed and submitted to the Ohio board of regents. The study shall determine any adjustments in contributions necessary to reflect any change in the level of the negative financial impact resulting from the establishment of the alternative retirement program. The amount contributed to the state retirement system pursuant to this division shall be increased or decreased to reflect the amount needed to mitigate the negative financial impact, if any, on the system, as determined by each actuarial study. Any increase or decrease in contributions shall become effective on the first day of July in the year in which the actuarial study is completed. Contributions on behalf of an electing employee shall continue in accordance with this division until the occurrence of the following:

(1) If the electing employee would be subject to Chapter 145. of the Revised Code had the employee not made an election pursuant to section 3305.05 of the Revised Code, until the unfunded actuarial accrued liability for all benefits, except health care benefits provided under section 145.325 or 145.58 of the Revised Code, is fully amortized, as determined by the annual actuarial valuation prepared under section 145.22 of the Revised Code;

(2) If the electing employee would be subject to Chapter 3307. of the Revised Code had the employee not made an election pursuant to section 3305.05 of the Revised Code, until the unfunded actuarial accrued liability for all benefits, except health care benefits provided under section ~~3307.405~~ **3307.39** or ~~3307.74~~ **3307.61** of the Revised Code, is fully amortized, as determined by the annual actuarial valuation prepared under section ~~3307.20~~ **3307.51** of the Revised Code;

(3) If the electing employee would be subject to Chapter 3309. of the Revised Code had the employee not made an election pursuant to section 3305.05 of the Revised Code, until the unfunded actuarial accrued liability for all benefits, except health care benefits provided under section 3309.375 or 3309.69 of the Revised Code, is fully amortized, as determined by the annual actuarial valuation prepared under section 3309.21 of the Revised Code.

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