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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~~ PROVIDER OF THE INVESTMENT OPTION the employee ~~participates~~ HAS SELECTED. 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~~ PROVIDER OF THE INVESTMENT OPTION the employee has ~~elected~~ SELECTED. 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~~ APPROPRIATE PROVIDER 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~~ THE ELECTING EMPLOYEE'S INVESTMENT OPTION.

(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~~ A PERCENTAGE 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.~~ THE PERCENTAGE SHALL BE SIX PER CENT, EXCEPT THAT THE PERCENTAGE MAY BE ADJUSTED BY THE OHIO RETIREMENT STUDY COUNCIL TO REFLECT THE DETERMINATIONS MADE BY ACTUARIAL STUDIES CONDUCTED UNDER SECTION 171.07 OF THE REVISED CODE. Any ~~increase or decrease in contributions~~ ADJUSTMENT shall become effective on the first day of ~~July in~~ the ~~year in which~~ SECOND MONTH FOLLOWING SUBMISSION OF the actuarial study ~~is completed~~ TO THE BOARD OF REGENTS UNDER SECTION 171.07 OF THE REVISED CODE.

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 AND BENEFIT INCREASES PROVIDED AFTER MARCH 31, 1997, 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 pursu-

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ant to section 3305.05 of the Revised Code, until the unfunded actuarial accrued liability for all benefits, except health care benefits provided under section 3307.39 or 3307.61 of the Revised Code AND BENEFIT INCREASES PROVIDED AFTER MARCH **31, 1997**, is fully amortized, as determined by the annual actuarial valuation prepared under section 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 AND BENEFIT INCREASES PROVIDED AFTER MARCH **31, 1997**, is fully amortized, as determined by the annual actuarial valuation prepared under section 3309.21 of the Revised Code.

SECTION 6. The actuarial study completed in 1999 by the Ohio Retirement Study Council as required by former section 3305.06 of the Revised Code shall be used to determine any necessary adjustments in contributions under that section until the next study is completed as required by section 171.07 of the Revised Code.

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