

Sec. 3305.09. (A) ANY PAYMENT THAT IS TO BE MADE UNDER A CONTRACT AN ELECTING EMPLOYEE HAS ENTERED INTO FOR PURPOSES OF THE EMPLOYEE'S ALTERNATIVE RETIREMENT PLAN SHALL BE SUBJECT TO ANY WITHHOLDING ORDER ISSUED PURSUANT TO DIVISION (C)(2)(b) OF SECTION 2921.41 OF THE REVISED CODE. THE ENTITY THAT ENTERED INTO THE CONTRACT WITH THE ELECTING EMPLOYEE SHALL COMPLY WITH THAT WITHHOLDING ORDER IN MAKING THE PAYMENT.

(B) IF AN ENTITY THAT HAS ENTERED INTO A CONTRACT WITH AN ELECTING EMPLOYEE FOR PURPOSES OF THE EMPLOYEE'S ALTERNATIVE RETIREMENT PLAN RECEIVES NOTICE PURSUANT TO DIVISION (D) OF SECTION 2921.41 OF THE REVISED CODE THAT THE ELECTING EMPLOYEE IS CHARGED WITH A VIOLATION OF THAT SECTION, NO PAYMENT SHALL BE MADE UNDER THE CONTRACT PRIOR TO WHICHEVER OF THE FOLLOWING IS APPLICABLE:

(1) IF THE PERSON IS CONVICTED OF OR PLEADS GUILTY TO THE CHARGE AND NO MOTION FOR A WITHHOLDING ORDER FOR PURPOSES OF RESTITUTION HAS BEEN FILED UNDER DIVISION (C)(2)(b)(i) OF SECTION 2921.41 OF THE REVISED CODE, THIRTY DAYS AFTER THE DATE ON WHICH FINAL DISPOSITION OF THE CHARGE IS MADE;

(2) IF THE PERSON IS CONVICTED OF OR PLEADS GUILTY TO THE CHARGE AND A MOTION FOR A WITHHOLDING ORDER FOR PURPOSES OF RESTITUTION HAS BEEN FILED UNDER DIVISION (C)(2)(b)(i) OF SECTION 2921.41 OF THE REVISED CODE, THE DATE ON WHICH THE COURT DECIDES THE MOTION;

(3) IF THE CHARGE IS DISMISSED OR THE PERSON IS FOUND NOT GUILTY OF THE CHARGE OR NOT GUILTY OF THE CHARGE BY REASON OF INSANITY, THE DATE ON WHICH FINAL DISPOSITION OF THE CHARGE IS MADE.