

**Payment to beneficiary upon death of contributor before retirement; designated, not designated.**

Sec. 3307.48 (7896-41). (A) \*\*\* Should a contributor die before retirement, his accumulated contributions shall be paid to such beneficiaries as he has nominated by written designation signed by him and filed with the state teachers retirement board prior to his death. The last nomination of any beneficiary revokes all previous nominations. If the accumulated contributions of a deceased member are not claimed by a beneficiary, or by the estate of the deceased member, within ten years, they shall be transferred to the guarantee fund and thereafter paid to such beneficiary or to the member's estate upon application to the board. The board shall formulate and adopt rules and regulations governing all designations of beneficiaries.

(B) If a member dies before retirement and is not survived by a designated beneficiary, any survivors shall qualify as beneficiaries, in the following order of precedence, with all attendant rights and privileges: (1) the spouse of the member; (2) the youngest unmarried child of the member under eighteen years of age if (a) such child elects to take survivor benefits under section 3307.49 division (B) (4) of the Revised Code, and (b) the total amount of survivor benefits payable to all children by such election exceeds the amount of the accumulated account subject to refund; (3) if none of the above, the children of the member, share and share alike; (4) if none of the above, the older parent of the member; (5) if none of the above, the estate of the member. Any payment

made to a beneficiary as determined by the state teachers retirement board shall be a full discharge and release to the board from any future claims.

(C) Any amount due any person, as an annuitant, receiving a monthly allowance or an annuity, or both, and unpaid at death, shall be paid to the beneficiary named by written designation signed by him and filed with the board. If no such designation had been filed, or if the beneficiary designated is deceased or is not located within ninety days, such amount shall be paid to the estate of the annuitant or to: (1) the surviving spouse; (2) any one or more of the annuitant's children eighteen years of age or older; (3) the father or mother of the deceased annuitant; (4) any one or more of the annuitant's brothers and sisters; with preference being given in the order named, without requiring letters testamentary or letters of administration to be issued upon the estate of such deceased annuitant. Such payment shall be a full discharge and release to the board from any future claim for such payment. If letters testamentary or letters of administration are thereafter issued upon the estate of such deceased annuitant, any person receiving payment under this division is liable to the executor or administrator for the sum received.

Effective October 26, 1953

\$ 3307.48

12502

HB 382

(Am. House Bill No. 382)

AN ACT

To amend sections 3307.29, 3307.33, 3307.38, 3307.40, 3307.43, 3307.44, 3307.49, 3307.51, 3307.55, 3309.01, 3309.03, 3309.26, 3309.34, 3309.35, 3309.36, 3309.38, 3309.39, 3309.41, 3309.44, 3309.45, and 3309.51, and to re-enact section 3307.48, and to repeal section 3307.48 of the Revised Code, relative to both the state teachers retirement system and the school employees retirement system.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3307.29, 3307.33, 3307.38, 3307.40, 3307.43, 3307.44, 3307.49, 3307.51, 3307.55, 3309.01, 3309.03, 3309.26, 3309.34, 3309.35, 3309.36, 3309.38, 3309.39, 3309.41, 3309.44, 3309.45, 3309.51 be amended, and section 3307.48 be re-enacted as follows:

**Repeal.**

SECTION 2. That existing sections 3307.29, 3307.33, 3307.38, 3307.40, 3307.43, 3307.44, 3307.48, 3307.49, 3307.51, 3307.55, 3309.01, 3309.03, 3309.26, 3309.34, 3309.35, 3309.36, 3309.38, 3309.39, 3309.41, 3309.44, 3309.45 and 3309.51 of the Revised Code be, and the same are hereby repealed.

KLINE L. ROBERTS,  
*Speaker pro tem of the House of Representatives.*

JOHN W. BROWN,  
*President of the Senate.*

Passed July 13, 1953.

Approved July 27, 1953.

FRANK J. LAUSCHE,  
*Governor.*

The section numbers herein are in conformity to the Revised Code.

WILLARD D. CAMPBELL,  
*Director of Code Revision.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 27th day of July, A. D. 1953.

TED W. BROWN,  
*Secretary of State.*

File No. 256.

Effective October 26, 1953.