

Sec. 3309.012. As used in this section, "school board member" means a member of a city, local, county, exempted village, or joint vocational school district board of education.

A (A) WITHIN THIRTY DAYS OF A school board MEMBER'S INITIALLY TAKING OFFICE, THE BOARD member ~~may~~ SHALL elect WHETHER to become a member of the school employees retirement system ~~with all rights, privileges, and obligations of membership on providing~~ FOR THE PARTICULAR PERIOD OF HOLDING OFFICE JUST COMMENCING AND SHALL PROVIDE notice OF THIS ELECTION to the school employees retirement board on a form provided by the board. THE ELECTION SHALL BE IRREVOCABLE WHILE THE SCHOOL BOARD MEMBER CONTINUOUSLY HOLDS OFFICE. IF THE SCHOOL BOARD MEMBER DOES NOT ELECT MEMBERSHIP IN THE SYSTEM, THE PERSON SHALL FOREVER BE BARRED FROM CLAIMING OR PURCHASING MEMBERSHIP RIGHTS OR CREDIT FOR THE PARTICULAR PERIOD OF HOLDING OFFICE FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED. IF THE SCHOOL BOARD MEMBER ELECTS MEMBERSHIP IN THE SYSTEM, THE PERSON SHALL HAVE ALL RIGHTS, PRIVILEGES, AND OBLIGATIONS OF MEMBERSHIP IN THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED.

ANY SCHOOL BOARD MEMBER FAILING TO MAKE THE ELECTION OR GIVE THE NOTICE REQUIRED UNDER THIS DIVISION SHALL BE CONSIDERED TO HAVE ELECTED NOT TO BECOME A MEMBER OF THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED.

(B) WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, EACH MEMBER OF A BOARD OF EDUCATION ON THE DAY IMMEDIATELY PRECEDING THAT EFFECTIVE DATE SHALL DO BOTH OF THE FOLLOWING:

(1) ELECT WHETHER TO BECOME A MEMBER OF THE SCHOOL EMPLOYEES RETIREMENT SYSTEM FOR THE PARTICULAR PERIOD COMMENCING ON THE FIRST DAY OF THE MONTH IMMEDIATELY FOLLOWING THE DATE ON WHICH THE SCHOOL EMPLOYEES RETIREMENT BOARD RECEIVES NOTICE OF THE ELECTION UNDER DIVISION (B)(2) OF THIS

SECTION AND CONTINUING AS LONG AS THE PERSON CONTINUOUSLY HOLDS OFFICE AS A SCHOOL BOARD MEMBER;

(2) PROVIDE NOTICE OF THIS ELECTION TO THE SCHOOL EMPLOYEES RETIREMENT BOARD ON A FORM PROVIDED BY THE BOARD.

THE ELECTION SHALL BE IRREVOCABLE WHILE A SCHOOL BOARD MEMBER CONTINUOUSLY HOLDS OFFICE. IF A SCHOOL BOARD MEMBER DOES NOT ELECT MEMBERSHIP IN THE SYSTEM, THE PERSON SHALL FOREVER BE BARRED FROM CLAIMING OR PURCHASING MEMBERSHIP RIGHTS OR CREDIT FOR THE PARTICULAR PERIOD OF HOLDING OFFICE FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED. IF THE SCHOOL BOARD MEMBER ELECTS MEMBERSHIP IN THE SYSTEM, THE PERSON SHALL HAVE ALL RIGHTS, PRIVILEGES, AND OBLIGATIONS OF MEMBERSHIP IN THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED. THIS PERIOD OF MEMBERSHIP SHALL BE EFFECTIVE ON THE FIRST DAY OF THE MONTH IMMEDIATELY FOLLOWING THE DATE ON WHICH THE SCHOOL EMPLOYEES RETIREMENT BOARD RECEIVES THE NOTICE OF THE ELECTION.

ANY SCHOOL BOARD MEMBER WHO ELECTED MEMBERSHIP IN THE SYSTEM UNDER THIS SECTION PRIOR TO THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION AND WHO FAILS TO MAKE THE ELECTION OR GIVE THE NOTICE REQUIRED UNDER THIS DIVISION SHALL BE CONSIDERED TO HAVE ELECTED TO BE A MEMBER OF THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED. ANY SCHOOL BOARD MEMBER WHO ELECTED NOT TO BE A MEMBER OF THE SYSTEM UNDER THIS SECTION PRIOR TO THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION AND WHO FAILS TO MAKE THE ELECTION OR GIVE THE NOTICE REQUIRED UNDER THIS DIVISION SHALL BE CONSIDERED TO HAVE ELECTED NOT TO BECOME A MEMBER OF THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION AND NOTICE WERE REQUIRED.

SECTION 3. Not later than thirty days after the effective date of this act, the School Employees Retirement Board shall give notice to the superintendent of each school district in the state of the election required of school board members under division (B) of section 3309.012 of the Revised Code, as amended by this act. The School Employees Retirement Board shall include with each notice the forms necessary for making the election. Within fifteen days of receiving the notice and election forms, each school district superintendent shall provide a copy of the notice and an election form to each member of the board of education of the school district.

Effective
11-15-95