

Sec. 3309.012. As used in this section, "school board member" means a member of a city, local, exempted village, or joint vocational school district board of education and a "governing board member" means a member of an educational service center governing board.

*(A) WITHIN THIRTY DAYS OF A school board MEMBER'S or A governing 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 BY FILING AN ELECTION IN WRITING WITH THE TREASURER OF THE BOARD OF EDUCATION. 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 WAS REQUIRED. IF THE SCHOOL BOARD MEMBER ELECTS MEMBERSHIP IN THE SYSTEM, THE TREASURER OF THE BOARD OF EDUCATION SHALL FILE notice ~~to~~ OF THE PERSON'S ELECTION WITH the school employees retirement board on a form provided by the RETIREMENT board. THE PERSON ELECTING MEMBERSHIP IN THE SYSTEM SHALL HAVE ALL RIGHTS, PRIVILEGES, AND OBLIGATIONS OF MEMBERSHIP IN THE SYSTEM FOR THE PARTICULAR PERIOD FOR WHICH THE ELECTION WAS REQUIRED.

ANY SCHOOL BOARD MEMBER FAILING TO MAKE THE ELECTION 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 WAS 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 ELECT, BY FILING AN ELECTION IN WRITING WITH THE TREASURER OF THE BOARD OF EDUCATION, WHETHER TO BECOME A MEMBER OF THE SCHOOL EMPLOYEES RETIREMENT SYSTEM FOR THE PARTICULAR PERIOD COMMENCING ON THE DATE ON WHICH THE ELECTION UNDER THIS DIVISION IS FILED WITH THE

TREASURER OF THE BOARD OF EDUCATION AND CONTINUING AS LONG AS THE PERSON CONTINUOUSLY HOLDS OFFICE AS A SCHOOL BOARD MEMBER.

THE TREASURER OF THE BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF EACH SCHOOL BOARD MEMBER'S ELECTION UNDER THIS DIVISION WITH THE SCHOOL EMPLOYEES RETIREMENT BOARD ON A FORM PROVIDED BY THE RETIREMENT 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 WAS 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 WAS REQUIRED. THIS PERIOD OF MEMBERSHIP SHALL BE EFFECTIVE ON THE DATE ON WHICH THE ELECTION IS FILED WITH THE TREASURER OF THE BOARD OF EDUCATION.

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 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 WAS 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 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 WAS REQUIRED.

SECTION 4. Sections 3309.012 and 3309.311 of the Revised Code, as amended by this act, supersede the amendments to those sections by Am. Sub. H.B. 223 of the 121st General Assembly.

SECTION 5. Section 3 of Am. Sub. H.B. 223 of the 121st General Assembly is hereby repealed.

Effective 11-23-95