

**Membership of retirement system.**

Sec. 3309.23. The membership of the school employees retirement system shall consist of:

(A) All employees in service on September 1, 1937, except employees who have filed with their employer a statement in writing requesting exemption from membership or employees who are excluded by sections 3309.01 to 3309.68, inclusive, of the Revised Code.

(B) All employees who became employees or who were reappointed as employees after September 1, 1937, except employees who are excluded by \*\*\* sections 3309.01 to 3309.68, inclusive, of the Revised Code.

(C) The employees in any school, college, or other institution supported in whole or in part by the state or any subdivision thereof and wholly controlled and managed by the state or any subdivision thereof shall become members on the same terms and conditions as the employees in the public schools, provided the board of trustees or other managing body of such school, college, or other institution, if such institution is now in existence or if in existence on said date, shall agree by formal resolution to accept all the requirements and obligations imposed by sections 3309.01 to 3309.68, inclusive, of the Revised Code, upon employers of members. Any institution which comes into existence as such shall have ninety days in which to accept said requirements and obligations. A certified copy of said resolution shall be filed with the school employees retirement board. When such resolution has been adopted and a copy of it filed with the school employees retirement board, it shall not later be subject to rescindment or abrogation. Service in such schools, colleges, or other institutions shall be then considered in every way the same as service in the public schools.

(D) All other employees who become contributors.

*Notwithstanding the provisions of divisions (A), (B), (C), and (D), any employee who becomes a disability beneficiary of the public employees retirement system or the state teachers retirement system shall thereafter be ineligible to make contributions or accrue benefits in the school employees retirement system.*

SECTION 3. Any member, eligible for any of the retirement allowances or other benefits provided in Chapters 145., 3307., and 3309. of the Revised Code as of June 30, 1959, or July 1, 1959, and who terminated his public service during the month of June, 1959, but did not file an application for retirement, may file, as provided by law, during the month of July, 1959, and shall be eligible for retirement as of June 30, 1959, or July 1, 1959, and such allowances or benefits shall be payable from and after July 1, 1959, and any such member or any member retiring on June 30, 1959, or July 1, 1959, voluntarily or otherwise, shall be eligible for allowances or benefits as computed under the provisions of this act.

Effective August 1, 1959