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Sec. 3309.67. (A) Notwithstanding any other provision of this chapter, any payment that is to be made under a pension, annuity, allowance, or other type of benefit, other than a survivorship benefit, that has been granted to a person under this chapter, any payment of accumulated contributions standing to a person's credit under this chapter, and any payment of any other amounts to be paid to a person under this chapter upon his withdrawal of his contributions pursuant to this chapter shall be subject to any withholding order issued pursuant to division (C)(2)(b) of section 2921.41 of the Revised Code, and the school employee's EMPLOYEES retirement board shall comply with that withholding order in making the payment.

(B) Notwithstanding any other provision of this chapter, if the board receives notice pursuant to division (D) of section 2921.41 of the Revised Code that a person who has accumulated contributions standing to his credit pursuant to this chapter is charged with a violation of section 2921.41 of the Revised Code, no payment of those accumulated contributions ~~or~~ of any other amounts to be paid under this chapter upon the person's withdrawal of his contributions pursuant to this chapter, OR OF ANY AMOUNT TO BE PAID TO A CONTRIBUTOR AS A LUMP SUM OR SINGLE PAYMENT UNDER SECTION 3309.341 OF THE REVISED CODE, shall be made 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 day 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 day on which the court decides the motion;
- (3) If the charge is dismissed or the person is found not guilty or not guilty by reason of insanity of the charge, the day on which final disposition of the charge is made.

Emergency
6/30/91