

~~retroactive to September 5, 1941.~~

(2) The state highway patrol is not required to take action under division (F)(1) of this section if the retirant was dismissed or resigned in lieu of dismissal for dishonesty, misfeasance, malfeasance, or conviction of a felony.

(G) The board shall adopt a rule to define "law enforcement officer" for purposes of division (F)(1) of this section, and may adopt other rules to carry out this section, including rules that specify the types of health-care professionals the board may appoint for the purpose of this section.

Sec. 5505.19. Subject to section 5505.26 of the Revised Code, a member of the state highway patrol retirement system who ceases to be an employee of the state highway patrol for any cause except death, disability, or retirement, upon application filed in writing with the state highway patrol retirement board, shall be paid the accumulated contributions, less interest, standing to the credit of the member's individual account in the employees' savings fund. Except as otherwise provided in this chapter, five years after a member ceases to be an employee of the patrol any balance of accumulated contributions standing to the member's credit in the employees' savings fund shall be transferred to the income fund and after that shall be paid from that fund to the member, ~~or in the case of a deceased member or retirant who dies leaving no surviving spouse or dependent children or parents, shall be paid from that fund to the estate of the deceased member or retirant,~~ upon application to the board.

A member described in this section who is married at the time of application for payment and would be eligible for ~~age and service retirement~~ a pension payable under division (A)(1) or (2) of section 5505.16 or 5505.17 of the Revised Code but for a forfeiture ordered under division (A) or (B) of section 2929.192 of the Revised Code shall submit with the application a written statement by the member's spouse attesting that the spouse consents to the payment of the member's accumulated contributions. Consent shall be valid only if it is signed and witnessed by a notary public. The board may waive the requirement of consent if the spouse is incapacitated or cannot be located, or for any other reason specified by the board. Consent or waiver is effective only with regard to the spouse who is the subject of the consent or waiver.

Sec. 5505.21. Should a member of the state highway patrol retirement system die and no pension becomes payable from funds of the system on account of ~~his the member's~~ employment with the patrol, ~~his the member's~~ accumulated contributions, less interest, standing to ~~his the member's~~ credit in the employees' savings fund at the time of ~~his~~ death shall be paid to ~~such person the beneficiary or persons as he~~ beneficiaries the member has nominated by written designation duly executed and filed with the state highway patrol retirement board. A member may designate an individual or a trust as a beneficiary. If there is no ~~such designated person or persons beneficiary~~ surviving ~~such the member, his the member's~~ accumulated contributions shall be paid according to the state law of descent and distribution; provided that, if ~~his the member's~~ accumulated contributions are not claimed by an eligible person or by the estate of the deceased member within seven years, they shall be transferred to the income fund of the system and after that shall be paid from that fund to such person or estate upon application to the board.

Sec. 5505.29. The state highway patrol retirement board shall refund the cost of service credit restored under section 5505.20 or purchased under division (D) of section 5505.16, division (C) of section 5505.17, or section 5505.201, 5505.25, 5505.40, or 5505.402 of the Revised Code to the

extent the credit does not, or, in the case of a person who retired or died prior to June 30, 2000, did not, increase the pension provided to the retirant or surviving spouse under section 5505.16, 5505.162, 5505.17, or 5505.18 of the Revised Code. The board shall provide the refund to the retirant or surviving spouse or, if there is no surviving spouse, the beneficiary designated by the retirant on a form provided by the state highway patrol retirement system. A retirant may designate an individual or a trust as a beneficiary. If there is no surviving spouse or designated beneficiary, the refund shall be provided to the retirant's estate. The refund cancels an equivalent amount of service credit.

Sec. 5505.30. ~~On the death of a person who at the time of death is receiving a pension from the state highway patrol retirement system under division (A)(1) or (2) of section 5505.17 or section 5505.18 of the Revised Code~~retirant, a lump-sum payment of five thousand dollars shall be paid to the retirant's surviving spouse: ~~If or, if there is no surviving spouse, the payment shall be made to the beneficiary designated by the retirant on a form provided by the state highway patrol retirement system. A retirant may designate an individual or a trust as a beneficiary. If there is no surviving spouse or designated beneficiary, the payment shall be made to the retirant's estate.~~

Application for the payment shall be made on a form provided by the state highway patrol retirement board.

A benefit paid under this section shall be treated as life insurance for purposes of this chapter and shall be funded solely from contributions made under division (B) of section 5505.15 of the Revised Code and any earnings attributable to those contributions.

Sec. 5505.35. Any person receiving from the state highway patrol retirement system an allowance, pension, or benefit may authorize the system to make deductions therefrom for the payment of dues and other membership fees to any retirement association or other organization composed primarily of retired state highway patrol employees or retired state highway patrol employees and their spouses if the association or organization adopts a resolution approving payment by that method and not fewer than one hundred persons receiving allowances, pensions, or benefits from the system initially authorize the deduction for payment to the same association or organization. The authorization must be in writing and signed by the person giving it. The system shall make the deductions authorized and pay to the association or organization the amounts deducted, until the authorization is revoked in writing by the person. The system may charge the association or organization an amount not exceeding the actual costs incurred by the system in making the deductions. The system shall adopt rules establishing the method of collecting the amount charged, if any.

Sec. 5505.51. A state highway patrol retirement system member who meets the following requirements may, at any time prior to applying for ~~a pension retirement~~ under section 5505.16 of the Revised Code, elect to participate in the deferred retirement option plan established under section 5505.50 of the Revised Code:

(~~1~~)(A) The member is younger than fifty-eight years of age.

(~~2~~)(B) The member is eligible to apply for ~~a pension retirement~~ under section 5505.16 of the Revised Code, except that eligibility to apply for unless the pension is a reduced pension as described in under division (B) of that section does not make a member eligible to elect to participate in the deferred retirement option plan.

The member shall make the election by filing with the retirement system an election form