

Sec. 742.05. Any vacancy occurring in the term of a member of the board of trustees of the Ohio police and fire pension fund who is the fiscal officer of a municipal corporation shall be filled by appointment by the governor for the unexpired term of such member.

~~Any~~ If a vacancy occurring occurs in the term of an employee or retirant member of the board ~~shall be filled by, all the remaining employee members~~

~~and the retirant members of the board for the unexpired term of such shall elect a successor employee or retirant member. On certification of the election results in accordance with rules adopted under section 742.045 of the Revised Code, the successor member shall hold office until the next board election that occurs not less than ninety days after the successor member's election.~~

~~Any vacancy occurring in the term of a retirant member of the board shall be filled by the employee members and the remaining retirant member of the board for the unexpired term.~~

Elections under this section to fill a vacancy on the board shall be conducted in accordance with rules adopted under section 742.045 of the Revised Code.

If a member of the board who is the fiscal officer of a municipal corporation ceases to be a fiscal officer of a municipal corporation, a vacancy shall exist.

If an employee member of the board ceases to be a member of the fund, a vacancy shall exist.

If as a result of changed circumstances a retirant member no longer qualifies for membership on the board as a retirant member, a vacancy shall exist.

~~Any employee or retirant elected or appointed member of the board or member of the board who is the fiscal officer of a municipal corporation~~ who fails to attend three consecutive meetings of the board, without valid excuse, shall be considered as having resigned from the board and the board shall declare the member's office vacated and as of the date of the adoption of a proper resolution a vacancy shall exist.

eff. 9/15/04