

**Amendment Six to the
Public Employees Retirement System of Ohio
Combined Plan**

WHEREAS, the Public Employees Retirement System of Ohio Defined Contribution Plan (“Plan”) was originally effective January 1, 2003;

WHEREAS, the Public Employees Retirement Board, as Trustees of the Plan (“Trustees”), reserved the right to amend the Plan pursuant to Article XXII of the Plan;

WHEREAS, the Trustees now desire to amend the Plan;

NOW, THEREFORE, the Plan is hereby amended as follows:

1. Section 1.22 of the Plan, defining “Hamilton County Municipal Court Bailiff,” is hereby amended to be and read as follows:

"PERS Public Safety Officer" has the same meaning as set forth in section 145.01 of the Ohio Revised Code.

2. Section 2.01(c) of the Plan, describing Employment on and after Effective Date, is hereby amended to be and read as follows:

An individual is ineligible to make an election to participate in this Plan under this Section if one of the following apply:

- (a) At the time employment begins, the individual is a PERS retirant or other system retirant, as those terms are defined in section 145.38 of the Ohio Revised Code, or is retired under section 145.383 of the Ohio Revised Code;
- (b) The individual is participating in an alternative retirement plan under Chapter 3305. of the Ohio Revised Code and is employed in a position described in section 3305.05(E) of the Ohio Revised Code;
- (c) At the time employment begins, the individual has contributions standing to the individual’s credit in the Employees’ Savings Fund or Defined Contribution Fund;
- (d) The individual is employed in a position covered under Chapter 145. of the Ohio Revised Code to which section 145.193 of the Ohio Revised Code applies;
- (e) The individual is a PERS Law Enforcement Officer or PERS Public Safety Officer.

3. Section 2.02(c) of the Plan, describing Eligibility – Member or Contributor, is hereby amended to be and read as follows:

A Member or Contributor is ineligible to make an election under this Section if one of the following applies:

- (a) The individual is a PERS retirant who is a Member under section 145.38(C) of the Ohio Revised Code;
- (b) The individual is a PERS Law Enforcement Officer or PERS Public Safety Officer.

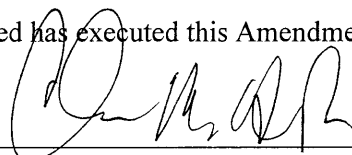
4. **Section 2.04(b) of the Plan**, describing Limit on Elections, is hereby amended to be and read as follows:

A Participant contributing to this Plan at the time of commencing employment as a PERS Law Enforcement Officer or PERS Public Safety Officer shall cease making contributions to this Plan. The Participant shall contribute only to the Defined Benefit Plan during the period of employment as a PERS Law Enforcement Officer or PERS Public Safety Officer for service in that position and any other position subject to Chapter 145. of the Ohio Revised Code. A Participant described in this Section may with contributions on deposit in this Plan may elect to have those contributions deposited and credited in the Defined Benefit Plan in accordance with rules adopted by the Board.

5. **In all other respects**, the Plan shall be and remain unchanged.

IN WITNESS WHEREOF the undersigned has executed this Amendment on the date indicated:

10/4/09
Date



Christopher M. DeRose, Executive Director