

EMPLOYER Notice

Ohio Public Employees Retirement System • 277 East Town Street • Columbus, Ohio 43215

Amended Rules effective April 2008

Who should read this notice

Finance directors, payroll professionals and human resources professionals

Situation overview

The following rules were emergency-filed with an effective date of April 1, 2008.

Following are substantive amendments to standing rules:

- **Federal tax compliance provisions (Amended rule 145-1-21)**
The rule was changed to align timing of some distributions with timing found in the IRC. Information was added to show federal regulations apply to OPERS plans beginning January 1, 2006, and after.
- **Service purchase (Amended rule 145-1-35)**
Amendment provides an exception for disability benefit recipients who remain members and are eligible to purchase service credit while on leave of absence during the first five years after the effective date of the disability benefit. Rule now provides that such a purchase will enhance the disability benefit only on a prospective basis.
- **Benefits payable to a re-employed retiree (Amended rule 145-1-76)**
- **Beneficiary and payment plan changes after retirement (Amended rule 145-2-47)**
- **Beneficiary and payment plan changes after commencement of Additional Annuity (Amended rule 145-2-48)**
Paragraph (E) was added to give retirees a one-year window to change from Plan B to Plan A, C, or D with their spouse as beneficiary after a minimum distribution retirement benefit, Additional Annuity or Money Purchase Annuity has commenced. Change will occur at the retiree's request. The retiree is liable for any overpaid benefits after recomputation. After the one-year window, changes may only be made if the retiree marries and wants to designate a new spouse. Retirees are eligible to designate a beneficiary of the remainder of their account and lump sum death benefit any time under Plan B. Failure to designate any beneficiary requires OPERS to distribute the remainder of the account and lump-sum death benefit as provided for by law.
- **Additional annuity accounts (Amended 145-2-43)**
A rule amendment changes the \$100 minimum deposit to a \$15 minimum deposit and eliminates the once-monthly payment frequency restriction for Additional Annuity deposits.
- **Selection of payment plan—spousal consent (Amended rule 145-2-44)**
Paragraph (A)(4) was added to provide that spousal consent to the retirement plan of payment is not required when OPERS must commence a single life annuity benefit to comply with federal tax law.

Note:

Employers who wish to view the exact verbiage of the rules will find the information posted on the OPERS Web site at www.opers.org.



1-888-400-0965

www.opers.org

(More information on back)

Employers may review the exact verbiage for the new rules or amendments to existing rules by going to the OPERS Web site at www.opers.org where the entire Ohio Administrative Rules document can be found.

What you need to do

OPERS is required to notify public employers of any amendment or change to the Ohio Administrative Code. Please review any letters, forms or publications you produce or distribute and make the necessary changes to ensure accuracy with the new and amended rules.

Who to contact for more information

After you review this *Employer Notice*, contact your Employer Outreach representative with questions or comments at 1-888-400-0965 or via the Internet at employero Outreach@opers.org.

This Employer Notice is written in plain language for use by public employers who are subject to coverage under the Ohio Public Employees Retirement System. It is not intended as a substitute for the federal or state law, namely the Ohio Revised Code, the Ohio Administrative Code, or the Internal Revenue Code, nor will its interpretation prevail should a conflict arise between it and the Ohio Revised Code, Ohio Administrative Code, or Internal Revenue Code. Rules governing the retirement system are subject to change periodically either by statute of the Ohio General Assembly, regulation of the Ohio Public Employees Retirement Board, or regulation of the Internal Revenue Code. If you have questions about this material, please contact our office or seek legal advice from your attorney.



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