



Ohio Administrative Code Rule 3307-9-01 Division of property orders.

Effective: May 3, 2018

(A) For purposes of this rule:

(1) "Order" means an order described in section 3105.81 of the Revised Code.

(2) "Alternate payee," "benefit," "lump sum payment" and "participant" have the meanings set forth in divisions (A) to (D) of section 3105.80 of the Revised Code.

(B) The retirement system may retain an order that provides the last four digits of the participant's or alternate payee's social security numbers. After the retirement system retains an order, the alternate payee shall provide information required on a form provided by the retirement system. The retirement system shall not issue payment to the alternate payee until the retirement system receives the information required for payment. The alternate payee shall notify this retirement system in writing of any change in the information.

(C) The retirement system shall charge a fee to defray the cost of administering an order as follows:

(1) The fee hereby established shall be deducted prior to calculation of the limit specified by section 3105.85 of the Revised Code.

(2) The fee hereby established shall be divided between the participant and the alternate payee. The fee shall be deducted from the first payment made after retention of an order, except to the extent that the deduction in such manner would exceed the limitation specified by section 3105.85 of the Revised Code, in which case fees shall be paid by deduction from future payments.

(3) The fee shall be calculated under the terms of this rule in effect at the time payment is made.

(a) The fee shall be calculated as an amount equal to the lesser of four hundred dollars or one per cent of the amount a participant in the defined benefit plan is or would be eligible to receive as a lump



sum payment under section 3307.56 of the Revised Code.

(b) In the case of a participant in the defined contribution plan, the fee shall be calculated as an amount equal to the lesser of four hundred dollars or one per cent of the amount the participant is or would be eligible to receive as a lump sum payment under the plan in which he or she participates.

(c) In the event a participant is ineligible for a lump sum distribution because benefits have been granted prior to the retention of an order, the fee shall be four hundred dollars.

(D) Pursuant to section 3105.90 of the Revised Code, an order shall be on the form prescribed by the appendix to this rule.

(E) Any benefit or lump sum payment that is owed and unpaid to an alternate payee at the time of the alternate payee's death shall be paid to the estate of the alternate payee.

(F) Any beneficiary designations previously received by the retirement system from an alternate payee shall be voided as of the effective date of this rule and all due and unpaid payments shall be paid as outlined in paragraph (E) of this rule.