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**Exclusions form membership; waiver of participation in certain systems.**

Sec. 145.02. Notwithstanding \*\*\* section 145.03 of the Revised Code, any employee who is contributing to or is receiving retirement or disability benefits from a police relief and pension fund, a firemen's relief and pension fund, state highway patrol, or a municipal retirement system established prior to June 30, 1938, or who has been granted a disability retirement allowance by the state teachers retirement system, or state public school employees retirement system shall be excluded from membership in the public employees retirement system and shall be ineligible to make contributions or accrue benefits in the public employees retirement system. *Provided, that any employee who is contributing to or receiving a retirement or disability benefit from a firemen's relief and pension fund or a police relief and pension fund may elect to waive such contribution or retirement benefit and shall not be excluded from membership in the public employees retirement system if such waiver is made. Such waiver is irrevocable if retirement benefits are applied for and granted by the public employees retirement system. (Amended in Amended Substitute House Bill No. 776)*

Effective November 5, 1965