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2  
3 FROM THE OFFICE OF JOSPEH J. CZARNEZKI

4  
5 MILWAUKEE COUNTY CLERK

6  
7 County Ordinance No. 14-2

8  
9 File No. 13-775

10  
11 AN ORDINANCE

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13  
14 The County Board of Supervisors of the County of Milwaukee does ordain  
15 as follows:

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17 **SECTION 1.** Section 201.24(3.11)(6) of the General Ordinances of Milwaukee  
18 County is amended to provide as follows:

19  
20 **3.11 Employee Contribution**

21  
22 (6) Refund of accumulated contributions.

23  
24 (a) Refunds of all accumulated contributions made under this  
25 section 3.11, with interest at the rate of five (5) percent per annum, shall  
26 be made on the same conditions and under the same circumstances as  
27 refunds under section 3.5, but may only be paid in the form of a lump sum  
28 payment. ~~For an employe terminating employment with the county, any~~  
29 ~~refund of accumulated contributions must be requested within sixty (60)~~  
30 ~~days after termination.~~

31  
32 Any refund of accumulated contributions must be requested  
33 within one hundred eighty (180) days after termination of county  
34 employment. The Retirement Office shall send an employe who  
35 terminates employment a written notice of the refund option via U.S. mail,  
36 or an equivalent service, to the member's address on file with the system.

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38 If a member does not receive written notice of the refund  
39 option, then the Pension Board, or the Retirement Office as delegated by  
40 the Pension Board, may allow the individual to receive a refund of  
41 accumulated contributions later than the refund period of this section  
42 3.11. A determination that notice was not received can be based on the  
43 Retirement Office and/or Pension Board finding that notice was either not  
44 sent by the Retirement Office or not received by the member. The  
45 member shall have the burden of proving notice was not received, and  
46 the Pension Board or Retirement Office shall have the sole and exclusive

47 authority to determine whether the individual received written notice. The  
48 appeal rules of the Pension Board shall apply to refund requests under  
49 this paragraph.

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51 If a member requests and receives a refund of accumulated  
52 contributions under this section and section 3.5, the member shall receive  
53 a refund of all amounts included in his or her membership account at that  
54 time.

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56 (b) Members receiving a refund or on whose behalf a refund is  
57 paid under this subsection shall cease to be a member of the employes'  
58 retirement system and shall have no further right to any benefit under this  
59 plan.

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61 (c) The provisions of section 11.1 shall not apply to  
62 accumulated contributions withdrawn by members under this section.

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66 **SECTION 2.** Section 201.24(3.5) of the General Ordinances of Milwaukee  
67 County is amended to read as follows:

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69 **3.5 Refunds upon severance or death**

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71 Notwithstanding the following, a member shall not be eligible to receive a  
72 refund of the portion of his membership account attributable to accumulated  
73 contributions contributed under section 3.11 if the member's employment was  
74 terminated due to fault or delinquency on the member's part under section 4.5 or  
75 if the member or a beneficiary of the member is eligible, at the time the request  
76 for a refund is made, for the present receipt of any monthly annuity benefit under  
77 sections 4.1, 4.5, 6.1, 6.2, 6.4, 7.1 or 7.2 of the Chapter 201.24 of the  
78 ordinances. Upon termination of employment, for reason other than death or  
79 retirement, a member shall be entitled to receive a refund of the balance as of  
80 the date of termination of his membership account and his savings account,  
81 accumulated at interest as set from time to time by the board. However, if a  
82 member who is eligible for a deferred vested pension withdraws his membership  
83 account, he shall forfeit all rights to a deferred vested pension. If a member  
84 requests, under this paragraph, a refund of assets in his or her membership  
85 account related to contributions made pursuant to sections 3.11 or 3.3, the  
86 member shall receive a refund of all assets contained in his or her membership  
87 account at that time, with interest as provided above, provided that the request is  
88 made within the time limits contained in section 3.11.

89 Upon termination of employment by reason of a member's death or upon  
90 the death of a member who is eligible for a deferred vested pension, the  
91 member's beneficiary shall be paid in lump sum the balance, as of the date of  
92 death, of his membership account and his savings account, provided that if a

