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3	FROM THE OFFICE OF JOSPEH J. CZARNEZKI
4 5	MILWAUKEE COUNTY CLERK
5 6	MILWAOREE COUNTY CLERK
7	County Ordinance No. 14-2
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9	File No. 13-775
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12	AN ORDINANCE
13 14	The County Reard of Supervisore of the County of Milwoulkee doop ordein
14 15	The County Board of Supervisors of the County of Milwaukee does ordain 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:
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20	3.11 Employee Contribution
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22	(6) Refund of accumulated contributions.
23 24	(a) Refunds of all accumulated contributions made under this
24 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	Any refund of a computated contributions report he requirested
32 33	Any refund of accumulated contributions must be requested within one hundred eighty (180) days after termination of county
33 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 43	3.11. A determination that notice was not received can be based on the
43 44	Retirement Office and/or Pension Board finding that notice was either not 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
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- authority to determine whether the individual received written notice. The appeal rules of the Pension Board shall apply to refund requests under this paragraph.
 - If a member requests and receives a refund of accumulated contributions under this section and section 3.5, the member shall receive a refund of all amounts included in his or her membership account at that time.
 - (b) Members receiving a refund or on whose behalf a refund is paid under this subsection shall cease to be a member of the employes' retirement system and shall have no further right to any benefit under this plan.
 - (c) The provisions of section 11.1 shall not apply to accumulated contributions withdrawn by members under this section.
- 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 <u>3.5 Refunds upon severance or death</u>70

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 contributions contributed under section 3.11 if the member's employment was 73 74 terminated due to fault or delinguency 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 for a refund is made, for the present receipt of any monthly annuity benefit under 76 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 account related to contributions made pursuant to sections 3.11 or 3.3, the 85 member shall receive a refund of all assets contained in his or her membership 86 87 account at that time, with interest as provided above, provided that the request is made within the time limits contained in section 3.11. 88

Upon termination of employment by reason of a member's death or upon the death of a member who is eligible for a deferred vested pension, the member's beneficiary shall be paid in lump sum the balance, as of the date of death, of his membership account and his savings account, provided that if a joint and survivor option under section VII is effective or a survivorship benefit under section VI is payable, the membership account shall not be paid to the beneficiary. However, if the amount of the membership account at the date of a member's death exceeds the total of the amount of the payments made to the spouse and children under sections 6.1, 6.2, 6.4 and 7.1, after all payments due thereunder have been made, such excess shall be paid in a lump sum to the member's beneficiaries.

100 Upon retirement of a member, the balance of his savings account shall be 101 paid in one (1) of the following forms as determined by the board:

- 102 (a) Lump sum payment.
- 103 (b) Life annuity with full cash refund or on a term certain basis.
- 104 (c) Installments of a designated amount or over a designated period of 105 time.

106 If under any of the above options a benefit becomes payable to some 107 other person as a result of the death of the retired member, payment shall be 108 made to the beneficiary designated by the member or, in the absence of a valid 109 designation, than as provided in section 2.16.

110 **SECTION 3.** The provisions of this ordinance shall be effective upon 111 passage and publication.

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113Adopted by the Milwaukee County Board of Supervisors114December 19, 2013115