

ELECTION NOT TO PARTICIPATE IN THE ELECTED OFFICIALS RETIREMENT PLAN

Effective August 6, 1999, A.R.S. § 38-804, subsection A states:

All elected officials are members of the plan, except that a state elected official who is subject to term limits may elect not to participate in the plan. The state elected official who is subject to term limits shall make the election in writing and file the election with the board of trustees within thirty days after the state elected official assumes office. The election is effective on the first day of the state elected official's eligibility for that term of office. The election not to participate is specific for that term of office. If a state elected official who is subject to term limits fails to make an election as provided in this subsection, the state elected official is deemed to have elected to participate in the plan. The election not to participate in the plan is irrevocable and constitutes a waiver of all benefits provided by the plan for the state elected official's entire term, except for any benefits accrued by the state elected official in the plan for periods of participation before being elected to an office subject to term limits or any benefits expressly provided by law. The state elected official who elects not to participate in the plan shall participate in the Arizona state retirement system unless the state elected official makes an irrevocable election not to participate in the Arizona state retirement system as provided in § 38-727.

TO: Board of Trustees, Elected Officials' Retirement Plan

NAME: _____ SOCIAL SECURITY NUMBER: _____ - _____ - _____
ELECTED OFFICE: _____ DATE OF BIRTH: _____ / _____ / _____
BEGINNING DATE OF CURRENT TERM OF OFFICE: _____ / _____ / _____
ADDRESS: _____ Today's Date: _____ / _____ / _____

NOTICE IS HEREBY GIVEN THAT YOU HAVE BEEN ELECTED TO AN OFFICE THAT IS SUBJECT TO A TERM LIMIT AND PURSUANT TO A.R.S. SECTION 38-804 YOU CAN ELECT NOT TO CONTRIBUTE AND PARTICIPATE IN THE ELECTED OFFICIALS' RETIREMENT PLAN ONLY FOR THIS TERM OF OFFICE.

Pursuant to A.R.S. section 38-804, I hereby make written election to the board of trustees not to participate in the Elected Officials' Retirement Plan. I understand that this election not to participate in the EORP is valid only for my current term of office. I (or we if there is a spouse) understand that the Elected Officials' Retirement Plan has the following benefits which I (or we) waive as a result of this election:

1. Normal retirement benefits for life at age 65 with five or more years of credited service in the plan, age 62 with ten or more years of credited service in the plan or with twenty or more years of credited service in the plan regardless of age.
2. Normal retirement benefits calculated at 4% per year of credited service times my highest three year annual salary.
3. Automatic surviving spouse's and children's benefits if I were to become deceased as a member of the EORP or as a retiree.
4. Disability benefits for life if I am incapacitated for the purposes of performing the duties of this elected office.
5. Early retirement benefits at a reduced rate at any age if I have five or more years of credited service in the plan.
6. Any other benefit as prescribed in Title 38, chapter 5, article 3, Arizona Revised Statutes.

I understand that by making this election I **must** participate in the Arizona State Retirement System unless I make a **separate** irrevocable election not to participate in the Arizona State Retirement System.

DATED: _____ / _____ / _____

Signature of applicant

Witness

Signature of applicant's spouse