

### Sec. 42. Payment of Accumulated Contributions.

- (1) The accumulated contributions of a former member whether vested or not shall be paid to the member upon satisfaction of each of the following conditions:
  - (a) The former member files a written application for payment with the Retirement System.
  - (b) The break in membership is at least 30 days or the request is made as a result of being laid off for at least 30 days as provided in section 6.
  - (c) The member's spouse has consented in writing to the payment. This requirement may be waived by the Retirement System if the signature of the member's spouse cannot be obtained because of extenuating circumstances.
- (2) If a member or former member dies and no retirement allowance becomes payable by the Retirement System on account of the death, the deceased individual's accumulated contributions shall be paid to such individual or individuals as the deceased individual shall have designated in writing and filed with the System. Written consent by the member's spouse to the beneficiary named is required unless the spouse is beneficiary to 100% of the balance; this requirement may be waived by the Retirement System if the signature of the member's spouse cannot be obtained because of extenuating circumstances. If there is no such named individual surviving the deceased individual, the accumulated contributions shall be paid to the deceased individual's estate.
- (3) Where no retirement allowance becomes payable on account of the service for which member contributions were made, the accumulated contributions of a former member or a deceased member or a deceased former member which remain unclaimed in the reserve for employee contributions shall be transferred from the reserve for employee contributions to the reserve for employer contributions and benefit payments of the former employer(s), and shall be subject to claim by or on behalf of such member.