



Ohio Administrative Code Rule 3309-1-20 Validity of marriage.

Effective: June 6, 2025

(A) For purposes of this rule, "age and service retirant" and "disability benefit recipient" have the same meaning as defined in rule 3309-1-35 of the Administrative Code, and "retirant" has the same meaning as defined in division (G) of section 3309.01 of the Revised Code.

(B) For the purpose of qualifying for, or receiving, any benefit as a spouse under Chapter 3309. of the Revised Code, the member's or retirant's marriage must be recognized by the state of Ohio. The school employees retirement board shall accept the following as proof of marriage:

(1) A valid marriage certificate, abstract of marriage or marriage record; or

(2) In the absence of a valid marriage certificate, abstract of marriage or marriage record, a decision rendered by a court, having jurisdiction in the state in which the member or retirant was domiciled at the time of death, that the relationship constituted a valid marriage at time of death, or the "spouse" would have the same status as a widow or widower for purposes of sharing in the distribution of the member's or retirant's intestate personal property if not otherwise prohibited by section 3105.12 of the Revised Code.

(C) For purposes of this rule, the school employees retirement board shall not accept marriage licenses as proof of marriage.
