**Section 4440.100 Minimum Required Distributions**

Effective on and after January 1, 2003, each pension fund shall be subject to the following provisions:

a) Benefit payments must begin by the required beginning date, which is the later of April 1 of the calendar year following the calendar year in which the plan member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which the plan member terminates employment. If a plan member fails to apply for retirement benefits by April 1 of the calendar year following the calendar year in which he or she reaches 70½ years of age or April 1 of the calendar year following the calendar year in which he or she terminates employment, whichever is later, the plan will begin distributing the benefit as required by this Section.

b) The plan member's entire interest must be distributed over the plan member's life or the lives of the plan member and a designated beneficiary or beneficiaries, or over a period not extending beyond the life expectancy of the plan member or of the plan member and a designated beneficiary. Death benefits must be distributed in accordance with IRC section 401(a)(9), including the incidental death benefit requirement in IRC section 401(a)(9)(G), and the regulations implementing that Section.

c) The life expectancy of a plan member, the plan member's spouse or the plan member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

d) If a plan member dies after the required distribution of benefits has begun, the remaining portion of the plan member's interest must be distributed at least as rapidly as under the method of distribution before the plan member's death and no longer than the remaining period over which distributions commenced.

e) If a plan member dies before required distribution of the plan member's benefits has begun, the plan member's entire interest must be either:

1) distributed (in accordance with federal regulations (26 CFR 1.401(a)(9))) over the life or life expectancy of the designated beneficiary, with the distributions beginning no later than December 31 of the calendar year immediately following the calendar year of the plan member's death; or

2) distributed by December 31 of the calendar year containing the fifth anniversary of the plan member's death.