**Section 4451.30 Prescribed Tie Breaker Procedure**

a) The prescribed procedure shall only apply when a tie vote occurs in a fund's Board of Trustee election process. After a review of the election count provided by the fund, the Department will, within 3 business days, set a date, time and place to conduct the tie breaker procedure with the corresponding fund, which shall have a designee present. The fund and the Department shall notify the candidates of a tie and the agreed upon date, time and place for the tie breaker procedure, though the candidates' attendance shall not be required. Candidates' contact information shall be provided by the fund. The agreed upon date shall not exceed 10 business days after the election count. The Department will maintain minutes of, and record, the tie breaker procedure.

b) At the tie breaker procedure, separate and identical sealed envelopes for each tied candidate, with his or her official name on the index card in the envelope, shall be placed in a box. After shaking the box, the Director of the Department, or his or her designee, shall draw one envelope. The tied candidate whose official name appears on the index card within that sealed envelope shall be declared the winner.