

SERFF Tracking Number: ONFS-126590285 State: Arkansas  
 Filing Company: The Ohio National Life Insurance Company State Tracking Number: 45532  
 Company Tracking Number: FORM 10-AIR-3  
 TOI: A02.11 Individual Annuities- Deferred Non- Sub-TOI: A02.11.002 Flexible Premium  
 Variable and Variable  
 Product Name: Roth IRA Endorsement  
 Project Name/Number: Roth IRA Endorsement/

## Filing at a Glance

Company: The Ohio National Life Insurance Company

Product Name: Roth IRA Endorsement SERFF Tr Num: ONFS-126590285 State: Arkansas  
 TOI: A02.11 Individual Annuities- Deferred Non- SERFF Status: Closed-Approved- State Tr Num: 45532  
 Variable and Variable Closed  
 Sub-TOI: A02.11.002 Flexible Premium Co Tr Num: FORM 10-AIR-3 State Status: Approved-Closed  
 Filing Type: Form Reviewer(s): Linda Bird  
 Authors: Doris Jackson, Kim Disposition Date: 04/29/2010  
 Wright, Noreen Luptowski, Peggy  
 Johnson  
 Date Submitted: 04/28/2010 Disposition Status: Approved-Closed  
 Implementation Date Requested: 06/16/2010 Implementation Date:

State Filing Description:

## General Information

Project Name: Roth IRA Endorsement  
 Project Number:  
 Requested Filing Mode: Informational

Status of Filing in Domicile: Pending  
 Date Approved in Domicile:  
 Domicile Status Comments: This filing was submitted to Ohio on April 20, 2010. Forms filed in Ohio are deemed approved 30 days after the filing is received, per Ohio Rev. Code Section 395.14.  
 Market Type: Individual  
 Group Market Size:  
 Group Market Type:  
 Explanation for Other Group Market Type:  
 State Status Changed: 04/29/2010  
 Created By: Peggy Johnson  
 Corresponding Filing Tracking Number:

Explanation for Combination/Other:  
 Submission Type: New Submission  
 Overall Rate Impact:  
 Filing Status Changed: 04/29/2010

Deemer Date:  
 Submitted By: Noreen Luptowski  
 Filing Description:  
 Re: Form 10-AIR-3, Individual Retirement Annuity Endorsement (Roth)

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Enclosed for your information is an Individual Retirement Annuity (IRA) Endorsement. The form is new and intended to replace IRA Endorsement Form 08-AIR-3, currently being issued.

The language of the form has been updated to include all the newly enacted requirements of the Internal Revenue Code. We intend to issue the revised form as of June 16, 2010.

This filing was submitted to Ohio on April 20, 2010. Forms filed in Ohio are deemed approved 30 days after the filing is received, per Ohio Rev. Code Section 395.14.

Questions concerning this filing may be directed to Kim Wright at 1-800-366-6654 Dept. 7 Option 3 (please press 7 after the initial greeting. The system does not prompt this), or via e-mail at kim\_wright@ohionational.com.

## Company and Contact

### Filing Contact Information

Kim Wright, Senior Contract Compliance Regulatory Technician  
 kimberly\_wright@ohionational.com  
 1 Financial Way 513-794-6765 [Phone]  
 Mail Location 76B 513-794-4500 [FAX]  
 Cincinnati, OH 45242

### Filing Company Information

The Ohio National Life Insurance Company CoCode: 67172 State of Domicile: Ohio  
 1 Financial Way Group Code: 704 Company Type: Life and Annuity  
 Cincinnati, OH 45242 Group Name: ONFS State ID Number:  
 (513) 794-6100 ext. [Phone] FEIN Number: 31-0397080

## Filing Fees

Fee Required? Yes  
 Fee Amount: \$50.00  
 Retaliatory? Yes  
 Fee Explanation: \$50 Ohio Filing fee  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
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The Ohio National Life Insurance Company \$50.00 04/28/2010 36025654

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved- Closed	Linda Bird	04/29/2010	04/29/2010



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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		No
Supporting Document	Application		No
Supporting Document	Life & Annuity - Acturial Memo		No
Form	Roth IRA Endorsement		Yes

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## Form Schedule

**Lead Form Number: Form 10-AIR-3**

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	Form 10-AIR-3	Policy/Cont ract/Fratern Endorsement al Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Initial		0.000	10air3.pdf

## **Endorsement**

### **Individual Retirement Annuity Roth IRA**

This endorsement is included in and made a part of your annuity contract. It is intended to conform the contract to the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), for an Individual Retirement Annuity ("IRA"). This endorsement is intended for use with a Roth IRA as defined in Section 408A of the Code. If there is a conflict between the terms of the contract and the terms of this endorsement, the endorsement controls.

#### **Individual Retirement Annuities**

This contract has been submitted to the Internal Revenue Service for approval as a Roth IRA. If this contract is an IRA, we can change the contract in its approved form so as to keep its approval under the Code or to comply with any change in the Code or rules under the Code. Any such change shall be: (a) in writing; (b) signed by us; (c) mailed to you at your address of record in our files; and (d) subject to your approval or acceptance. In addition, in the event that you exercise your right to rescind as described on the cover page of this contract within seven days of the delivery of this contract and this contract is an IRA, then we will refund the total purchase payments. Any terms that relate to this contract as an IRA shall be of no further effect if the contract is no longer kept as a qualified IRA under the Code.

#### **Ownership**

The Annuitant shall be the Owner while living. The Annuitant's interest may not be forfeited. The contract is for the sole benefit of the Annuitant and Beneficiaries.

#### **Nontransferability**

You may not transfer this contract, nor may this contract be used or pledged as collateral to secure any loan or debt, except that this contract may be transferred to a spouse or former spouse incident to divorce.

#### **Premium**

Except in the case of a qualified rollover contribution or a recharacterization (as defined below), no contribution will be accepted unless it is in cash and the total of such contributions to all of your Roth IRAs for a taxable year does not exceed the applicable amount (as defined below), or your compensation (as defined herein), if less, for that taxable year. The contribution described in the previous sentence that may not exceed the lesser of the applicable amount or your compensation is referred to as a "regular contribution." However, notwithstanding the dollar limits on contributions, you may make a repayment of a qualified reservist distribution described in Code Section 72(t)(2)(G) during the 2-year period beginning on the day after the end of the active duty period or by August 17, 2008, if later. A "qualified rollover contribution" is a rollover contribution of a distribution from an IRA that meets the requirements of Code Section 408(d)(3), except the one-rollover-per-year rule of Section 408(d)(3)(B) does not apply if the rollover contribution is from an IRA other than a Roth IRA (a "nonRoth IRA"). For taxable years beginning after 2005, a qualified rollover contribution includes a rollover from a designated Roth account described in Code Section 402A; and for taxable years beginning after 2007, a qualified rollover contribution also includes a rollover from an eligible retirement plan described in Section 402(c)(8)(B). Contributions may be limited as described herein.

- (i) If you are under age 50, the applicable amount is \$3,000 for any taxable year beginning in 2002 through 2004, \$4,000 for any taxable year beginning in 2005 through 2007 and \$5,000 for any taxable year beginning in 2008 and years thereafter. After 2008, the \$5000 amount will be adjusted by the Secretary of the Treasury for cost-of-living increases under Code Section 219(b)(5)(D). Such adjustments will be in multiples of \$500.

- (ii) If you are 50 or older, the applicable amount under paragraph (i) above is increased by \$500 for any taxable year beginning in 2002 through 2005 and by \$1,000 for any taxable year between 2006 and 2008. After 2008, the \$1,000 amount will be adjusted by the Secretary of the Treasury for cost-of-living increases under Code Section 219(b)(5)(D). Such adjustments will be in multiples of \$500.
- (iii) If you were a participant in a Section 401(k) plan of a certain employer in bankruptcy described in Code Section 219(b)(5)(C), then the applicable amount under paragraph (i) above is increased by \$3,000 for taxable years beginning after 2006 and before 2010 only. An individual who makes contributions under this paragraph (iii) may not also make contributions under paragraph (ii).

However, notwithstanding the dollar limits on contributions, an individual may make a repayment of a qualified reservist distribution described in Code Section 72(t)(2)(G) during the two year period beginning on the day after the end of the active duty period or by August 17, 2008, if later.

### Regular Contribution Limit

If (i) and/or (ii) below apply, the maximum regular contribution that can be made to all of your Roth IRAs for a taxable year is the smaller amount determined under (i) or (ii).

- (i) The maximum regular contribution is phased out ratably between certain levels of modified adjusted gross income ("modified AGI," in accordance with the following table:

Filing Status	Full Contribution	Phase-out Range	No Contribution
	Modified AGI		
Single or Head of Household	\$105,000 or less	Between \$105,000 and \$120,000	\$120,000 or more
Joint Return or Qualifying Widow(er)	\$167,000 or less	Between \$167,000 and \$177,000	\$177,000 or more
Married-Separate Return	\$0	Between \$0 and \$10,000	\$10,000 or more

If your modified AGI for a taxable year is in the phase-out range, the maximum regular contribution determined under this table for that taxable year is rounded up to the next multiple of \$10 and is not reduced below \$200. Your modified AGI does not include any amount included in income as a result of a rollover from an eligible retirement plan other than a Roth IRA. After 2006, the dollar amounts above will be adjusted by the Secretary of the Treasury for cost-of-living increases under Code Section 408A(c)(3). Such adjustments will be in multiples of \$1,000.

- (ii) If you make regular contributions to both Roth and non-Roth IRAs for a taxable year, the maximum regular contribution that can be made to all your Roth IRAs for that taxable year is reduced by the regular contributions made to your non-Roth IRAs for the taxable year.

### Rollovers

A rollover from an eligible retirement plan (including a traditional IRA) other than a Roth IRA or a designed Roth account ("qualified rollover contribution") cannot be made to this IRA if for the year the amount is distributed from the other plan, (i) you are married and file a separate return or (ii) you or you and your spouse have modified AGI in excess of \$100,000. For purposes of the preceding sentence, a husband and wife are not treated as married for a taxable year if they have lived apart at all times during that taxable year and file separate returns for the taxable year. For taxable years beginning after 2009, limits in this paragraph do not apply to qualified rollover contributions.

No transfer or rollover from a SIMPLE IRA will be accepted prior to the expiration of the two-year period beginning on the date you first participated in your employer's SIMPLE plan. No contributions will be accepted under a SIMPLE IRA plan established by any employer pursuant to Section 408(p).

### **Change of Annuity Payout Date**

The Change of Annuity Payout Date provision does not apply to this contract.

### **IRA Settlement**

- (a) Notwithstanding any provision of this IRA to the contrary, the distribution of the individual's interest in the IRA shall be made in accordance with the requirements of Code Section 408(b)(3), as modified by Section 408A(c)(5), and the regulations thereunder, the provisions of which are herein incorporated by reference. If distributions are not made in the form of an annuity on an irrevocable basis (except for acceleration), then distribution of the interest in the IRA must satisfy the requirements of Code Section 408(a)(6), as modified by Section 408A(c)(5), and the regulations thereunder, rather than the distribution rules in paragraphs (b), (c), (d) and (e) below.
- (b) Upon the death of the individual, his or her entire interest will be distributed at least as rapidly as follows:
  - (1) If the designated beneficiary is someone other than the individual's surviving spouse, the entire interest will be distributed, starting by the end of the calendar year following the calendar year of the individual's death, over the remaining life expectancy of the designated beneficiary, with such life expectancy determined using the age of the beneficiary as of his or her birthday in the year following the year of the individual's death, or, if elected, in accordance with paragraph (b)(3) below.
  - (2) If the individual's sole designated beneficiary is the individual's surviving spouse, the entire interest will be distributed, starting by the end of the calendar year following the calendar year of the individual's death (or by the end of the calendar year in which the individual would have attained age 70.5, if later), over such spouse's life, or, if elected, in accordance with paragraph (b)(3) below. If the surviving spouse dies before required distributions commence to him or her, the remaining interest will be distributed, starting by the end of the calendar year following the calendar year of the spouse's death, over the spouse's designated beneficiary's remaining life expectancy determined using such beneficiary's age as of his or her birthday in the year following the death of the spouse, or, if elected, will be distributed in accordance with paragraph (b)(3) below. If the surviving spouse dies after required distributions commence to him or her, any remaining interest will continue to be distributed under the contract option chosen.
  - (3) If there is no designated beneficiary, or if applicable by operation of paragraph (b)(1) or (b)(2) above, the entire interest will be distributed by the end of the calendar year containing the fifth anniversary of the individual's death (or of the spouse's death in the case of the surviving spouse's death before distributions are required to begin under paragraph (b)(2) above).
  - (4) Life expectancy is determined using the Single Life Table in Q&A-1 of Section 1.401(a)(9)-9 of the Income Tax Regulations. If distributions are being made to a surviving spouse as the sole designated beneficiary, such spouse's remaining life expectancy for a year is the number in the Single Life Table corresponding to such spouse's age in the year. In all other cases, remaining life expectancy for a year is the number in the Single Life Table corresponding to the beneficiary's age in the year specified in paragraph (b)(1) or (2) and reduced by 1 for each subsequent year.
- (c) The "interest" in the IRA includes the amount of any outstanding rollover, transfer and recharacterization under Q&As-7 and -8 of Section 1.408-8 of the Income Tax Regulations and the actuarial value of any other benefits provided under the IRA, such as guaranteed death benefits.

- (d) For purposes of paragraph (b)(2) above, required distributions are considered to commence on the date distributions are required to begin to the surviving spouse under such paragraph. However, if distributions start prior to the applicable date in the preceding sentence, on an irrevocable basis (except for acceleration) under an annuity contract meeting the requirements of Section 1.401(a)(9)-6T of the Temporary Income Tax Regulations, then required distributions are considered to commence on the annuity starting date.

Nothing in this endorsement shall be construed as requiring us to pay out more than the value of this Contract.

### **Premium Refund**

Any refund of premium payments (other than those attributable to excess contributions) will be applied before the close of the calendar year following the year of the refund toward the payment of future purchase payments.

### **Compensation**

Compensation means wages, salaries, professional fees, or other amounts derived from or received for personal service actually rendered (including, but not limited to, commissions paid salesmen, compensation for services on the basis of a percentage of profits, commissions on insurance premiums, tips, and bonuses) and includes earned income, as defined in section 401(c)(2) (reduced by the deduction the self-employed individual takes for contributions made to a Keogh plan). For purposes of this definition, Section 1402(c)(2) shall be applied as if the term trade or business for purposes of Section 1402 included service described in subsection (c)(6). Compensation does not include amounts derived from or received as earnings or profits from property (including, but not limited to, interest and dividends) or amounts not includable in gross income. Compensation also does not include any amount received as a pension or annuity or as deferred compensation. The term "compensation" shall include any amount includable in the individual's gross income under Internal Revenue Code section 71 with respect to a divorce or separation instrument described in subparagraph (A) of section 71(b)(2). In the case of a married individual filing a joint return, the greater compensation of his or her spouse is treated as his or her own compensation, but only to the extent that such spouse's compensation is not being used for purposes of the spouse making a contribution to a Roth IRA or a deductible contribution to a non-Roth IRA.

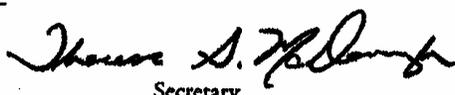
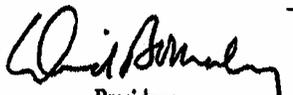
### **Premature Withdrawal**

Any payment of the annuitant's interest prior to age 59.5 may be subject to additional taxes, unless it meets criteria set out in Section 408A of the Code.

### **Annual Reports**

We will furnish annual calendar year reports concerning the status of this IRA to you and such information concerning required minimum distributions as is prescribed by the Commissioner of Internal Revenue.

## **THE OHIO NATIONAL LIFE INSURANCE COMPANY**

[  Secretary       President ]

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## Supporting Document Schedules

**Item Status:**  
**Status Date:**

**Bypassed - Item:** Flesch Certification  
**Bypass Reason:** The form is federally regulated and is therefore not subject to state readability requirements.  
**Comments:**

**Item Status:**  
**Status Date:**

**Bypassed - Item:** Application  
**Bypass Reason:** This is not a policy form filing.  
**Comments:**

**Item Status:**  
**Status Date:**

**Bypassed - Item:** Life & Annuity - Acturial Memo  
**Bypass Reason:** This form does not require additional actuarial information.  
**Comments:**