

(1) The person is initially employed by the university on or after the effective date of this amendment;

(2) The person is employed by the university on the effective date of this amendment, the employment terminates after that date, and the person is reemployed by the university not less than twelve months after the date of termination.

Such employees are included in the definition of member as used in Chapter 145. of the Revised Code. The universities and colleges shall be subject to the obligations imposed by Chapter 145. of the Revised Code.

Sec. 3309.011. "Employee" as defined in division (B) of section 3309.01 of the Revised Code, does not include any of the following:

(A) Any person having a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code and employed in a public school in this state in an educational position, as determined by the state board of education, under programs provided for by federal acts or regulations and financed in whole or in part from federal funds, but for which no licensure requirements for the position can be made under the provisions of such federal acts or regulations;

(B) Any person who participates in an alternative retirement plan established under Chapter 3305. of the Revised Code;

(C) Any person who elects to transfer from the school employees retirement system to the public employees retirement system under section 3309.312 of the Revised Code;

(D) Any person whose full-time employment by the university of Akron as a state university law enforcement officer pursuant to section 3345.04 of the Revised Code commences on or after September 16, 1998;

(E) Any person described in division (B) of section 3309.013 of the Revised Code;

(F) Any person described in division (D) of section 145.011 of the Revised Code.

SECTION 2. That existing sections 143.09, 145.011, and 3309.011 of the Revised Code are hereby repealed.

SECTION 3. The amendment by this act of section 143.09 of the Revised Code is not intended to change the effective date of that section as enacted by Sub. S.B. 11 of the 131st General Assembly.