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Sec. 3309.301. (A) A MEMBER OF THE SCHOOL EMPLOYEES RETIREMENT SYSTEM WITH AT LEAST EIGHTEEN MONTHS OF CONTRIBUTING SERVICE IN THE SYSTEM, THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, OR THE STATE TEACHERS RETIREMENT SYSTEM WHO EXEMPTED HIMSELF FROM MEMBERSHIP IN ONE OR MORE OF THE SYSTEMS PURSUANT TO SECTION 145.03 OR 3309.23 OF THE REVISED CODE, OR FORMER SECTION 3307.25 OR 3309.25 OF THE REVISED CODE MAY PURCHASE CREDIT FOR EACH YEAR OR PORTION OF A YEAR OF SERVICE FOR WHICH HE WAS EXEMPTED.

(B) UPON RECEIPT OF A REQUEST FROM A MEMBER ELIGIBLE TO PURCHASE CREDIT UNDER THIS SECTION AND CERTIFICATION OF THE MEMBER'S SERVICE AND COMPENSATION FROM THE EMPLOYER FOR WHICH THE EXEMPT SERVICE WAS PERFORMED, THE SCHOOL EMPLOYEES RETIREMENT SYSTEM SHALL DETERMINE THE AMOUNT OF CREDIT THE MEMBER IS ELIGIBLE TO PURCHASE IN ACCORDANCE WITH DIVISIONS (B)(1) AND (2) OF THIS SECTION.

(1) IF THE CREDIT TO BE PURCHASED IS FOR SERVICE EXEMPTED UNDER SECTION 3309.23 OR FORMER SECTION 3309.25 OF THE REVISED CODE, DETERMINE THE AMOUNT OF CREDIT THAT WOULD HAVE BEEN EARNED HAD THE SERVICE NOT BEEN EXEMPT.

(2) IF THE CREDIT TO BE PURCHASED IS FOR SERVICE EXEMPTED UNDER SECTION 145.03 OR FORMER SECTION 3307.25 OF THE REVISED CODE, REQUEST CERTIFICATION FROM THE APPLICABLE RETIREMENT SYSTEM THAT THE SERVICE WAS EXEMPT AND THE AMOUNT OF SERVICE CREDIT THAT WOULD HAVE BEEN EARNED HAD THE SERVICE NOT BEEN EXEMPT.

(C) FOR EACH YEAR OR PORTION OF A YEAR OF CREDIT PURCHASED UNDER THIS SECTION, A MEMBER SHALL PAY TO THE RETIREMENT SYSTEM AN AMOUNT DETERMINED BY MULTIPLYING THE MEMBER'S COMPENSATION FOR THE TWELVE MONTHS OF CONTRIBUTING SERVICE PRECEDING THE MONTH IN WHICH HE APPLIES TO PURCHASE THE CREDIT BY A PERCENTAGE RATE ESTABLISHED BY RULE OF THE SCHOOL EMPLOYEES RETIREMENT BOARD ADOPTED UNDER DIVISION (G) OF THIS SECTION.

SECTION 5. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that there are persons who would be eligible to retire under the Public Employees, School Employees, or State Teachers Retirement System as soon as the purchase of service

credit the act authorizes becomes effective. Therefore, this act shall go into immediate effect.

(D) SUBJECT TO BOARD RULES, A MEMBER MAY PURCHASE ALL OR PART OF THE CREDIT HE IS ELIGIBLE TO PURCHASE UNDER THIS SECTION IN ONE OR MORE PAYMENTS. IF THE MEMBER PURCHASES THE CREDIT IN MORE THAN ONE PAYMENT, COMPOUND INTEREST AT A RATE SPECIFIED BY RULE OF THE BOARD SHALL BE CHARGED ON THE BALANCE REMAINING AFTER THE FIRST PAYMENT IS MADE.

(E) CREDIT PURCHASABLE UNDER THIS SECTION SHALL NOT EXCEED ONE YEAR OF SERVICE FOR ANY TWELVE-MONTH PERIOD. IF THE PERIOD OF SERVICE FOR WHICH CREDIT IS PURCHASABLE UNDER THIS SECTION IS CONCURRENT WITH A PERIOD OF SERVICE THAT WILL BE USED TO CALCULATE A RETIREMENT BENEFIT FROM THIS SYSTEM, THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, OR THE STATE TEACHERS RETIREMENT SYSTEM, THE AMOUNT OF THE CREDIT SHALL BE ADJUSTED IN ACCORDANCE WITH RULES ADOPTED BY THE SCHOOL EMPLOYEES RETIREMENT BOARD.

A MEMBER WHO IS ALSO A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM OR THE STATE TEACHERS RETIREMENT SYSTEM SHALL PURCHASE CREDIT FOR ANY SERVICE FOR WHICH HE EXEMPTED HIMSELF UNDER SECTION 145.03 OR 3309.23 OF THE REVISED CODE OR FORMER SECTION 3307.25 OR 3309.25 OF THE REVISED CODE FROM THE RETIREMENT SYSTEM IN WHICH HE HAS THE GREATEST NUMBER OF YEARS OF SERVICE CREDIT. IF THE MEMBER RECEIVES BENEFITS UNDER SECTION 3309.35 OF THE REVISED CODE, THE STATE RETIREMENT SYSTEM THAT DETERMINES AND PAYS THE RETIREMENT BENEFIT SHALL RECEIVE FROM THE OTHER SYSTEM OR SYSTEMS THE AMOUNTS PAID BY THE MEMBER FOR PURCHASE OF CREDIT FOR EXEMPT SERVICE PLUS INTEREST AT THE ACTUARIAL ASSUMPTION RATE OF THE SYSTEM PAYING THAT AMOUNT. THE INTEREST SHALL BE FOR THE PERIOD BEGINNING ON THE DATE OF THE MEMBER'S LAST PAYMENT FOR PURCHASE OF THE CREDIT AND ENDING ON THE DATE OF THE MEMBER'S RETIREMENT.

(F) IF A MEMBER DIES OR WITHDRAWS FROM SERVICE, ANY PAYMENT MADE BY THE MEMBER UNDER THIS SECTION SHALL BE CONSIDERED AS ACCUMULATED CONTRIBUTIONS OF THE MEMBER.

(G) THE RETIREMENT BOARD SHALL ADOPT RULES TO IMPLEMENT THIS SECTION.

144 Oh  
Ann. Sub.  
HB 383

Emergency  
Clause

Effective  
5-4-92