

137 O.L.

H.B. 754

**Sec. 742.19.** A member of the fund who is an employee of a fire department of a municipal corporation or township and who, after September 30, 1948, enlisted or enlists, was inducted or is inducted, was or is called into active duty, or accepted or accepts a commission in the armed forces of the United States, shall, in computing his years of service in such fire department, be given

full credit for such time served in such fire department, be given full credit for such time served in the armed forces, provided such person has been honorably discharged from the armed forces or from active duty therein and has made application for reinstatement in the active service of such fire department within ninety days from the date of such discharge. A member of the fund seeking to take advantage of this section must have been or must be honorably discharged within one year from the date he first has the option to receive such a discharge. Service credit given under this section for time served in the armed forces subsequent to January 1, 1955, shall not exceed two years.

A MEMBER OF THE FUND IS INELIGIBLE TO RECEIVE SERVICE CREDIT UNDER THIS SECTION FOR ANY TIME SERVED IN THE ARMED FORCES AFTER JANUARY 1, 1967 THAT IS USED IN THE CALCULATION OF ANY RETIREMENT BENEFIT CURRENTLY BEING PAID TO THE MEMBER OR PAYABLE IN THE FUTURE UNDER ANY OTHER RETIREMENT PROGRAM EXCEPT SOCIAL SECURITY. AT THE TIME SUCH CREDIT IS REQUESTED THE MEMBER SHALL CERTIFY ON A FORM SUPPLIED BY THE RETIREMENT BOARD THAT THE MEMBER DOES AND WILL CONFORM TO THIS REQUIREMENT. ANY BENEFIT PAID UNDER THIS SECTION TO WHICH THE MEMBER IS NOT ENTITLED SHALL BE RECOVERED BY ANY RECOVERY PROCEDURES AVAILABLE UNDER THIS CHAPTER. THIS PARAGRAPH DOES NOT CANCEL ANY MILITARY SERVICE CREDIT EARNED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

Effective March 15, 1979