

Sec. 742.35. Each As used in this section, "calendar quarter" means the three-month period ending on the last day of March, June, September, or December.

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Each employer shall pay its annual police officer employers' contribution and firefighter employers' contribution in four equal installments promptly as provided in sections 742.33 and 742.34 of the Revised Code. Sixty If an employer fails to make a payment on or before the date that is sixty days after the date an installment is due, any amounts which remain unpaid shall be subject to last day of the calendar quarter, a penalty for late payment in the amount of five per cent determined under section 742.352 of the Revised Code shall be assessed against the employer. In addition, interest on past due accounts and penalties may be charged at a rate determined by the board of trustees of the Ohio police and fire pension fund from the date the installment is due to the date of payment.

Upon certification by the board to the county auditor of an amount due from any employer within the county who is subject to this chapter, by reason of such employer's delinquency in making employer contribution payments to the fund for past ~~years~~ months, such amount shall be withheld from such employer from any funds in the hands of the county treasurer for distribution to such employer. Upon receipt of such certification, the county auditor shall draw a warrant against such funds in favor of the fund for the amount.

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SECTION 3. (A) As used in this section, "employer" has the same meaning as in division (D) of section 742.01 of the Revised Code.

(B)(1) Notwithstanding section 742.38 of the Revised Code, as that section existed immediately prior to the effective date of its amendment by this act, and subject to division (C) of this section, the Board of Trustees of the Ohio Police and Fire Pension Fund shall reduce by ninety per cent a fine incurred prior to the effective date of this section under division (A)(2) of section 742.38 of the Revised Code if, prior to that date, the Board received from the employer who is subject to the fine the report that is the subject of the fine and the report was in the form provided in rules adopted by the Board. If the total amount of outstanding fines assessed against an employer under division (A)(2) of section 742.38 of the Revised Code exceeds \$30,000 after the reduction required by this division, the board shall further reduce the total amount of the outstanding fines to \$30,000.

(2) Notwithstanding sections 742.32 and 742.35 of the Revised Code, as those sections existed immediately prior to the effective date of their amendment by this act, and subject to division (C) of this section, the Board shall reduce by fifty per cent a penalty incurred under section 742.32 or 742.35 of the Revised Code during the period beginning January 1, 2000, and ending on the effective date of this section, if on or before the date that is six months after the date the report and payment were due, the Board receives from the employer the report and payment that are the subject of the penalty and the report is in the form provided in rules adopted by the Board.

(C)(1) Not later than June 1, 2002, an employer shall pay to the Fund the amount of all fines and penalties described in division (B) of this section, as reduced under this section.

(2) If an employer fails to pay all amounts due in accordance with division (C)(1) of this section or to file all required reports, the Board shall reinstate to the original amount any fine or penalty that was reduced and the employer shall pay to the Fund the reinstated fine or penalty amount. If the employer fails to pay the reinstated fine or penalty amount, that amount shall be collected from the county auditor in the same manner as is provided in section 742.35 of the Revised Code.

(3) To each employer that, prior to the effective date of this section, paid the full amount of a fine or penalty reduced under

division (B) of this section, the Board shall either refund the amount of the reduction or use the amount to reduce any outstanding amounts owed by the employer to the Fund under Chapter 742. of the Revised Code.

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