

Sec. 742.52. (A) A member of the police and firemen's disability and pension fund who is not receiving a disability benefit or pension from the fund may purchase service credit, which shall be used in computing his years of service, for each year of service incurred by reason of having been on active duty as a member of the armed forces of the United States if he entered the armed forces prior to July 1, 1973, and is honorably discharged. Credits which are not authorized under sections 742.18, 742.19, 742.20, and 742.21 of the Revised Code may be purchased at any time. The number of years purchased UNDER THIS DIVISION shall not exceed five ~~years or the total accumulated number of years of Ohio service, whichever is lesser.~~

(B) FOR THE PURPOSES OF THIS DIVISION "PRISONER OF WAR" MEANS ANY REGULARLY APPOINTED, ENROLLED, ENLISTED, OR INDUCTED MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO WAS CAPTURED, SEPARATED, AND INCARCERATED BY AN ENEMY OF THE UNITED STATES.

A MEMBER MAY PURCHASE SERVICE CREDIT WHICH SHALL BE CONSIDERED AS THE EQUIVALENT OF OHIO SERVICE FOR EACH YEAR OF SERVICE SUCH MEMBER WAS A PRISONER OF WAR. THE NUMBER OF YEARS PURCHASED UNDER THIS DIVISION SHALL NOT EXCEED FIVE. SERVICE CREDIT MAY BE PURCHASED UNDER THIS DIVISION FOR THE SAME YEARS OF SERVICE USED TO PURCHASE SERVICE CREDIT UNDER DIVISION (A) OF THIS SECTION. THE MEMBER MAY CHOOSE TO PURCHASE ONLY PART OF SUCH CREDIT IN ANY ONE PAYMENT, SUBJECT TO BOARD RULES.

(C) THE TOTAL NUMBER OF YEARS PURCHASED UNDER THIS SECTION SHALL NOT EXCEED THE MEMBER'S TOTAL ACCUMULATED NUMBER OF YEARS OF OHIO SERVICE.

(D) For each year of service purchased UNDER DIVISION (A) OR (B) OF THIS SECTION, the member shall pay to the fund for credit to his accumulated account an amount determined by the member rate of contribution in effect at the time the military service began or four per cent, whichever is greater, multiplied by the annual compensation for full-time employment during the first year of service in Ohio following termination of military service. To this amount shall be added an amount equal to compound interest at a rate established by the board of trustees of the police and firemen's disability and pension fund from the date active military service terminated to date of payment.

(E) A member is ineligible to purchase service credit under this section for any year of military service 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 for retired pay for non-regular service under chapter 67 of Title 10, United States Code or social security. At the time the credit is purchased the member shall certify on a form furnished by the trustees that he 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.

"Armed forces" of the United States includes army, navy, air force, marine corps, coast guard, auxiliary corps as established by congress, red cross nurse serving with the army, navy, air force, or hospital service of the United States, army nurse corps, navy nurse corps, full-time service with the American red cross in a combat zone, and such other service as may be designated by congress as included therein.

A member of the fund who has purchased service credit under this section, or his estate, is entitled to be refunded the amount paid to purchase such credit, or a pro rata portion thereof, provided that the purchased service credit, or a portion of the purchased service credit, does not serve to increase a pension or benefit paid under section 742.37 of the Revised Code. The refund of any amount paid to purchase credit under this section, or a pro rata portion thereof, shall cancel an equivalent amount of service credit.

Effective
Feb 23, 1982