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Sec. 145.012. (A) "Public employee," as defined in division (A) of section 145.01 of the Revised Code, does not include any person:

(1) Who is employed by a private, temporary-help service and performs services under the direction of a public employer or is employed on a contractual basis as an independent contractor under a personal service contract with a public employer;

(2) Who is an emergency employee serving on a temporary basis in case of fire, snow, earthquake, flood, or other similar emergency;

(3) Who is employed in a program established pursuant to the "Job Training Partnership Act," 96 Stat. 1322 (1982), 29 U.S.C.A. 1501;

(4) Who is an appointed member of either the motor vehicle salvage dealers board or the motor vehicle dealer's board whose rate and method of payment are determined pursuant to division (J) of section 124.15 of the Revised Code;

(5) WHO IS EMPLOYED AS AN ELECTION WORKER AND PAID LESS THAN FIVE HUNDRED DOLLARS PER CALENDAR YEAR FOR SUCH SERVICE.

(B) No inmate of a correctional or penal institution operated by the department of rehabilitation and correction, no patient in a hospital for the mentally ill or criminally insane operated by the department of mental health, no resident in an institution for the mentally retarded operated by the department of mental retardation and developmental disabilities, no resident admitted as a patient of the Ohio veterans' home at Sandusky, and no resident of a county home shall be considered as a public employee for the purpose of establishing membership or calculating service credit or benefits under this chapter. Nothing in this section shall be construed to affect any service credit attained by any person who was a public employee before becoming an inmate, patient, or resident at any institution listed in this section, or the payment of any benefit for which such a person or his beneficiaries would otherwise be eligible.

SECTION 3. Notwithstanding sections 145.012 and 145.03 of the Revised Code as they existed immediately prior to being amended by this act, each election worker who is paid less than \$500 for the 1991 calendar year for such service and who was employed as an election worker on or after July 1, 1991, and prior to the effective date of this act shall be excluded from membership in the Public Employees Retirement System unless within 30 days of the effective date of this act any such election worker in writing notifies the Public Employees Retirement Board that he is electing

to be a member of the Public Employees Retirement System for purposes of his employment as an election worker during that period.

Emergency

Effective
11-20-91