

Sec. 145.02. (A) Notwithstanding section 145.03 of the Revised Code, any public employee who is contributing to or is receiving disability benefits from a municipal retirement system established prior to June 30, 1938, or who has been granted a disability retirement allowance by the state teachers retirement system, or school employees retirement system, or who is contributing to the police and firemen's disability and pension fund or the state highway patrol retirement system shall be excluded from membership in the public employees retirement system and shall be ineligible to make contributions or accrue benefits in the public employees retirement system. A public employee who is making full contribution and receiving full credit under division (B), ~~(C)~~, or ~~(E)~~ of section 145.33 of the Revised Code shall be ineligible to make concurrent contributions and

receive concurrent credit under division (A) of section 145.33 of the Revised Code.

(B) A public employee who, prior to August 20, 1976, was excluded from membership in the public employees retirement system because he was receiving benefits from a municipal retirement system established prior to June 30, 1938, may acquire credit for service rendered by paying into the employees' savings fund an amount determined by applying the member contribution rate in effect at the time of payment to the earnable salary of the member during such period, plus interest on such amount, compounded annually at a rate to be determined by the board, of five per cent and by paying an equal amount into the employers' accumulation fund. The member may choose to purchase only part of such credit in any one payment, subject to board rule. A public employee who acquires service credit in the manner prescribed in this division shall receive benefits retroactive to the earliest date of this eligibility for retirement or disability retirement benefits under section 145.33, 145.34, or 145.36 of the Revised Code in a single payment.

(C) A public employee who, prior to November 21, 1969, was excluded from membership in the public employees retirement system because he was receiving benefits from a police relief and pension fund, a firemen's relief and pension fund, the police and firemen's disability and pension fund, or the state highway patrol pension fund may acquire service credit for service rendered during such period by paying into the employees' savings fund an amount equal to the amount he would have paid into such fund during such period of service if deductions had been taken on his earnable salary at the member contribution rate in effect during such period, plus interest compounded annually on such amount at a rate determined by the board and by paying an equal amount into the employers' accumulation fund. The member may choose to purchase only part of such credit in any one payment, subject to board rules.

(D) In the event of death or withdrawal from service, the payment to the employees' savings fund and the employers' accumulation fund for service credit under division (B) or (C) of this section shall be considered as accumulated contributions of the member.

SECTION 4. 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 certain law enforcement personnel retiring in 1988 will otherwise not be eligible for the benefits provided under the act. Therefore, this act shall go into immediate effect.

Emergency
Clause
12/15/88