

Am. H.B. 955
137 O.L.

Sec. 145.031. (A) NOTWITHSTANDING SECTION 145.03 OF THE REVISED CODE, ANY EMPLOYEE OF THE HAMILTON COUNTY MUNICIPAL COURT ON JANUARY 16, 1978, WHO WAS IN THE EMPLOY OF THE CITY OF CINCINNATI IN THE HAMILTON COUNTY MUNICIPAL COURT AND WAS APPOINTED OR EMPLOYED BY THE COURT, THE CLERK OF COURTS, OR THE CINCINNATI CITY MANAGER, AND WHOSE SALARY WAS PAID BY THE CITY OF CINCINNATI AND WHO WAS A CONTRIBUTING MEMBER OF THE CITY OF CINCINNATI RETIREMENT SYSTEM PRIOR TO THAT DATE, MAY CHOOSE TO BE EXEMPT FROM COMPULSORY MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AND TO CONTINUE CONTRIBUTING MEMBERSHIP

IN THE CITY OF CINCINNATI RETIREMENT SYSTEM ON AND AFTER THAT DATE, BY FILING A WRITTEN REQUEST FOR EXEMPTION FROM THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, WHICH REQUEST SHALL BEAR THE SIGNATURE OF THE EMPLOYEE, WITH THE PUBLIC EMPLOYEES RETIREMENT BOARD, PROVIDED THAT EXEMPTIONS PERMITTED BY THIS DIVISION ARE CONTINGENT UPON THE FOLLOWING:

(1) THE ADOPTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY AND AUTHORIZED REPRESENTATIVES OF THE CITY OF CINCINNATI RETIREMENT SYSTEM THAT PROVIDES SUCH EMPLOYEES WITH THE OPTION TO CONTINUE CONTRIBUTING MEMBERSHIP IN THAT RETIREMENT SYSTEM ON AND AFTER JANUARY 16, 1978, UPON A COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION;

(2) THE FILING OF THE REQUEST FOR EXEMPTION WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THE AGREEMENT.

(B) NO EMPLOYEE CONTRIBUTIONS SHALL BE DEDUCTED FROM THE EARNABLE SALARY OR COMPENSATION OF, OR PAID TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM ON ACCOUNT OF, ANY EMPLOYEE OF THE HAMILTON COUNTY MUNICIPAL COURT WHO, UPON COMPLIANCE WITH DIVISION (A) OF THIS SECTION, IS EXEMPT FROM COMPULSORY MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM.

Emergency
Effective: Dec. 1, 1977

SECTION 2. That Section 3 of Amended Substitute House Bill 517 of the 112th General Assembly, approved and filed by the Governor on October 17, 1977, to become effective on January 16, 1978, is hereby repealed.

SECTION 3. 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 the necessity is that its enactment into law at the earliest possible time will afford the Board of County Commissioners of Hamilton County and the authorized representatives of the City of Cincinnati Retirement System with sufficient time to negotiate and, if they so determine, to enter into the agreement authorized by Section 4 of this act. Therefore, this act shall go into immediate effect.

SECTION 4. The Board of County Commissioners of Hamilton County shall negotiate with authorized representatives of the City of Cincinnati Retirement System with an end to entering, and may develop and enter, into an agreement which shall provide employees of the Hamilton County Municipal Court on January 16, 1978, who were in the employ of the City of Cincinnati

in the Hamilton County Municipal Court and were appointed or employed by the court, the clerk of courts, or the Cincinnati city manager and whose salary was paid by the city of Cincinnati and who were contributing members of the City of Cincinnati Retirement System prior to January 16, 1978, with the option to continue membership in said retirement system on and after that date, by complying with the requirements of section 145.031 of the Revised Code, and also require the Board of County Commissioners to deduct and transmit employer and employee contributions to that retirement system for employees exercising such option.

If an agreement is entered into between the Board of County Commissioners of Hamilton County and the authorized representatives of the City of Cincinnati Retirement System on or after January 16, 1978, then any employee who chooses to be exempt from compulsory membership in the public employees retirement system by complying with section 145.031 of the Revised Code, shall receive a refund from the public employees retirement system of any moneys deducted from his earnable salary or compensation and paid to that retirement system prior to the employee's filing his request for exemption.

Each employee of the Hamilton County Municipal Court who, prior to January 16, 1978, was a contributing member of the City of Cincinnati Retirement System, and who becomes a member of the public employees retirement system shall, in computing years of service, be given full credit for the time served in the employ of the City of Cincinnati in the Hamilton County Municipal Court, provided, that for each year of such service purchased, the member pays into the public employees retirement system, not later than January 16, 1979, the amount that the member would have paid through regular salary deductions had the member been a member of the public employees retirement system during the period of his prior employment with the City of Cincinnati in the Hamilton County Municipal Court, with interest compounded annually thereon at a rate to be determined by the Public Employees Retirement Board. The member may choose to purchase only a part of such credit in any one payment, subject to rules promulgated by the Public Employees Retirement Board.

A member is ineligible to purchase under this section service credit that is used in the calculation of any retirement benefit currently being paid or payable in the future to the member from the City of Cincinnati Retirement System.

Service credit purchased under this section shall be considered the equivalent of Ohio service credit.