

137 O.L.

H.B. 754

Sec. 145.30. Upon re-employment in the public service and completing one year of service credit as covered by the public employees retirement system, the state teachers retirement system, or the state school employees retirement system, within two years after an honorable discharge, and presentation of an honorable discharge or certificate of service and compliance with rules adopted by the retirement board, any member of the public employees

retirement system who was a member with not less than one year of payroll deductions before entering active duty with the armed forces and maintained his membership in the public employees retirement system as provided by section 145.41 of the Revised Code, and who was or is out of active service as a public employee by reason of having become a member of the armed forces of the United States on active duty or service shall have such military service, not in excess of ten years, considered as the equivalent of prior service. Military service as established by an honorable discharge or certificate of service, not in excess of ten years, shall also be considered prior service for a person who was a public employee and who has acquired service credit for five years prior to, and within the one year preceding, the date of entering on active duty in the armed forces of the United States if such person was re-employed in the public service within one year after his honorable discharge from the armed forces and established a total service credit, as defined in division (H) of section 145.01 of the Revised Code, of twenty years exclusive of credit for military service. This section shall not serve to cancel any military service credit earned or granted prior to November 1, 1965. "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 PUBLIC EMPLOYEES RETIREMENT SYSTEM IS INELIGIBLE TO RECEIVE SERVICE CREDIT UNDER THIS SECTION FOR ANY YEAR OF MILITARY SERVICE CREDIT 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 SOCIAL SECURITY. AT THE TIME SUCH CREDIT IS REQUESTED THE MEMBER SHALL CERTIFY ON A FORM SUPPLIED BY THE RETIREMENT BOARD THAT THE MEMBER 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. THIS PARAGRAPH DOES NOT CANCEL ANY MILITARY SERVICE CREDIT EARNED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

Effective March 15, 1979