

Sec. 145.30. (A) As used in this section, ~~armed~~ AND SECTION 145.301 OF THE REVISED CODE:

(1) "ARMED forces" of the United States includes the following:

(1) (a) 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;

(2) (b) Personnel of the Ohio national guard, the Ohio military reserve, the Ohio naval militia, and the reserve components of any of the armed forces enumerated in division (A)(1) of this section who are called to active duty pursuant to an executive order issued by the president of the United States or an act of congress;

(3) (c) Persons on whom United States merchant marine veteran status has been conferred for service aboard oceangoing merchant ships in service to the United States during World War II.

(2) "STATE RETIREMENT SYSTEM" MEANS ANY OF THE FOLLOWING: THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND, PUBLIC EMPLOYEES RETIREMENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, STATE HIGHWAY PATROL RETIREMENT SYSTEM, OR THE STATE TEACHERS RETIREMENT SYSTEM.

(B) 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 school employees~~ A STATE retirement system, within two years after an honorable discharge, and presentation of an honorable discharge or certificate of service and subject to 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~~ AN 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 division shall not serve to cancel any military service credit earned or granted prior to November 1, 1965.

(C) 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. This division does not cancel any military service credit earned prior to March 15, 1979.

SECTION 6. 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 the recommendations of the Ohio Retirement Study Commission issued in its annual report of December 14, 1994, on the Police and Firemen's Disability and Pension Fund need immediate implementation in order to ensure the proper financing of the benefits provided by the Fund. Therefore, this act shall go into immediate effect.

Emergency Clause
Effective 8-25-95