

142 OL  
Am. Sub.  
H.B. 178

Sec. 145.32. A member, who has passed his sixtieth birthday and has five or more years of total service credit, or has twenty-five or more years of total service credit and has attained his fifty-fifth birthday, or has thirty or more years of total Ohio service credit, regardless of age, may file with the public employees retirement board an application for retirement.

Service retirement shall be effective on the first day of the month immediately following the later of:

- (A) The last day for which compensation was paid;
- (B) The attainment of minimum age or service credit eligibility provided under this section.

An employer may, EXCEPT AS OTHERWISE PROVIDED IN THE "AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967," AS AMENDED, 81 STAT. 602, 29 U.S.C. 621, 621 TO 634, as of the thirtieth day of June of any year, terminate the employment of any member who has attained the age of seventy years. ~~Any such employee whose employment is not so terminated shall be required to present a certification prior to the thirtieth day of June of each year by a physician licensed to practice in the state of Ohio, which physician is mutually acceptable to the employee and his employer, that the member is physically and mentally competent to perform the duties of the particular position which he occupies. Any member who accepts an allowance under Chapter 145. of the Revised Code, or who on or after October 31, 1953, is compelled to retire and who withdraws his accumulated contributions in lieu of accepting a retirement allowance is ineligible for regular re-employment in any capacity which comes within Chapter 145. of the Revised Code.~~ A member may at the time of his retirement by written designation duly executed and filed with the public employees retirement board designate a beneficiary to receive any installment which may remain unpaid at the time of his death. After the date of his retirement such nomination shall not be changed if the member elects to receive his retirement allowance computed as Option 1 or Option 2, provided in section 145.46 of the Revised Code unless the beneficiary designated at retirement is changed under division (E) or (F) of that section.

SECTION 2. That existing sections 9.41, 9.44, 124.11, 124.13, 124.14, 124.15, 124.17, 124.18, 124.181, 124.30, 124.381, 124.382, 124.384, 124.385, 124.386, 124.81, 145.012, 145.32, 3307.37, 3309.34, 4111.03, and 5503.08 of the Revised Code are hereby repealed.

SECTION 4. The Public Employees Retirement Board shall refund to a person who is serving as an appointed member of either the Motor Vehicle Salvage Dealer's Licensing Board or the Motor Vehicle Dealer's Board as of the effective date of this act all employee contributions made by the person during 1987. Any person eligible for such refund shall file a written, signed request for the refund with the Public Employees Retirement Board within six months of the effective date of this act.

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 lies in the fact that immediate action is needed to comply with federal regulations and to ensure that benefits for state employees exempt from collective bargaining agreements are consistent with benefits contained in current collective bargaining agreements. Therefore, this act shall go into immediate effect.

(Emergency Clause)

Effective  
6/24/87