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143 OH
Sub. S.B. 240

Sec. 145.36. Upon disability retirement, a retirant shall receive a retirement benefit in an annual amount which shall consist of:

(A) An annuity having a reserve equal to the amount of the retirant's accumulated contributions;

(B) A pension which shall be the difference between his annuity and an annual amount determined by multiplying the total service credit of the retirant, and in addition thereto the projected number of years and fractions thereof between the effective date of his disability retirement and attained age sixty, assuming continuous service, by eighty-six dollars or two and one-tenth per cent of his final average salary whichever is greater.

Where the retirant does not retire for disability under the provisions of section 145.37 of the Revised Code and is receiving a disability retirement benefit from either the state teachers retirement system or the school employees retirement system, then the retirant shall not be eligible for service credit based upon the number of years and fractions thereof between the date of disability and attained age sixty as provided for in this division. In no case shall a disability retirement benefit be less than thirty per cent or more than seventy-five per cent of his final average salary, EXCEPT THAT THE BENEFIT SHALL NOT EXCEED ANY LIMIT TO WHICH THE RETIREMENT SYSTEM IS SUBJECT UNDER SECTION 415 OF THE "INTERNAL REVENUE CODE OF 1986," 100 STAT. 2085, 26 U.S.C.A. 415, AS AMENDED.

A year of service for the purpose of disability retirement is a complete year of full-time employment, or the equivalent thereof. The public employees retirement board is the final authority in determining the eligibility of a member for such form of retirement.

Effective
7/24/90