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144 Oh  
Ann Sub  
SB 346

Sec. 145.36. ~~Upon~~ A MEMBER WHO HAS ELECTED DISABILITY COVERAGE UNDER THIS SECTION, HAS NOT ATTAINED AGE SIXTY, AND IS DETERMINED BY THE PUBLIC EMPLOYEES RETIREMENT BOARD UNDER SECTION 145.35 OF THE REVISED CODE TO QUALIFY FOR A DISABILITY BENEFIT SHALL BE RETIRED ON DISABILITY UNDER THIS SECTION.

UPON disability retirement, a ~~retirant~~ MEMBER shall receive a ~~retirement benefit in~~ an annual amount ~~which~~ THAT shall consist of:

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

(B) A pension ~~which~~ THAT 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~~

WHERE the ~~retirant does~~ RECIPIENT IS not ~~retire for~~ RECEIVING A disability BENEFIT 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~~ RECIPIENT 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~~

IN no case shall a disability retirement ~~benefit~~ be less than thirty per cent or more than seventy-five per cent of ~~his~~ THE MEMBER'S final average salary, except that ~~the benefit~~ IT 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~~ DISABILITY retirement.

Emergency  
aff. 7-29-92