

Sec. 145.381. A former member receiving a retirement allowance, other than a disability allowance, from this system, and hereafter referred to as a retirant, may be ELECTED TO AN OFFICE OF THIS STATE OR ANY POLITICAL SUBDIVISION OR employed, anything contained in Chapter 145. of the Revised Code to the contrary notwithstanding, provided:

(A) A retirant who is elected to an office of the state of Ohio or its political subdivisions for which he receives compensation, shall notify the public employees retirement system within thirty days after assuming office, of his said election to the elected office, and his failure to so notify the said system of the said election shall make him personally responsible for any overpayment of retirement allowances during the term of office;

(1) His retirement allowance shall cease to be paid at the end of the month in which his term begins;

(2) The pension portion of the allowance shall be forfeited until the first day of the month following the expiration of his term;

(3) The annuity portion of the allowance shall be suspended and shall accumulate to his credit to be paid to him in one sum when his allowance is resumed;

(4) During such a AN ELECTIVE term of office, membership in the PUBLIC EMPLOYEES retirement system is optional NOT PERMITTED, EXCEPT THAT RETIRANTS ELECTED TO AN OFFICE OF THE STATE WHO WERE ELECTED STATE

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OFFICIAL WHEN THEY RETIRED MAY ELECT TO ESTABLISH MEMBERSHIP IN THE SYSTEM, OR MAY ELECT TO RECEIVE BOTH THE PENSION AND THE ANNUITY PORTION OF THEIR RETIREMENT ALLOWANCE AND, IF THEY SO ELECT, MAY NOT ESTABLISH MEMBERSHIP IN THE SYSTEM. IF SUCH AN OFFICIAL ELECTS TO ESTABLISH MEMBERSHIP IN THE SYSTEM, HE SHALL BE CONSIDERED AN EMPLOYEE AS PROVIDED IN DIVISION (C) OF THIS SECTION EXCEPT THAT HE NEED NOT HAVE BEEN RETIRED FOR AT LEAST EIGHTEEN MONTHS. If membership is established, a supplemental retirement allowance based on service credit accrued during such period subsequent to his termination of benefit will be paid when the retirant again retires. FOR PURPOSES OF THIS SECTION, EXCEPT WHEN HE ELECTS OTHERWISE UNDER THIS DIVISION, A RETIRANT WHO IS RETIRED FOR NOT LESS THAN TWO MONTHS AND WHO IS ELECTED OR APPOINTED TO AN ELECTIVE OFFICE OF THIS STATE OR ANY POLITICAL SUBDIVISION IS NOT CONSIDERED EMPLOYED, PROVIDED, THE RETIRANT WHO IS RE-ELECTED TO THE OFFICE WHICH HE PREVIOUSLY HELD, SHALL BE RETIRED FOR NOT LESS THAN EIGHTEEN MONTHS. HE SHALL CONTINUE TO RECEIVE BOTH THE PENSION AND THE ANNUITY PORTION OF HIS RETIREMENT ALLOWANCE WHILE SERVING IN AN ELECTIVE POSITION.

(B) A retirant may be employed in a temporary capacity, not to exceed fifty-nine work days, or four hundred seventy-two hours, whichever is the lesser, within any calendar year, provided:

(1) The retirant has received a retirement allowance for at least two months;

(2) When employment does not exceed the limits of this division, there shall be no suspension or forfeiture of the allowance;

(3) Membership in the retirement system shall not be allowed a retirant employed under this division.

(C) A retirant may be regularly employed in full time employment covered by this system provided he has received his retirement allowance for at least eighteen months. When a retirant is so employed:

(1) The employer shall notify the retirement board of such employment before the end of the month then current and any overpayment of allowance resulting from lack of notice shall be charged to the employer;

(2) The pension portion of the retirement allowance shall cease on the first day of the month following the date of such employment and shall thereafter be forfeited until the first day

of the month following the termination of such employment;

(3) The annuity portion of the retirement allowance shall be suspended on the first day of the month following such employment, and thereafter shall accumulate to the credit of the retirant to be paid in one sum after his employment is terminated;

(4) Such an employee shall become a new member with all privileges and obligations of such membership, except that such new membership beginning on or after July 1, 1955, shall not include the survivor benefit rights provided by section 145.45 of the Revised Code.

(5) Upon service termination, a retirant may receive a refund of retirement deductions taken from his compensation during his re-employment, or he may receive a supplemental retirement allowance, based on contributions and service credit accrued subsequent to his termination of benefits.

(D) A retirant shall not receive a retirement allowance for any period for which he is compensated under a contract or other arrangement whereby he is to perform personal or professional services for the employer by which he was employed at the time of retirement.

(E) The public employees retirement board may make rules and regulations to carry the provisions of this section into effect and to prevent abuse of the rights granted.