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136 O.L.

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Sec. 3307.41. To coordinate and integrate membership in the public employees retirement system and the school employees retirement system with membership in the state teachers retirement system for the purpose of receiving service retirement, disability retirement, or survivor benefits, the following provisions apply:

(A) Retirement systems are the public employees retirement system, the state teachers retirement system, and the school employees retirement system.

(B) At the member's option, total contributions and service credit in all retirement systems shall be used in determining the eligibility for benefits. If total contributions and service credit are combined, the following provisions apply:

Effective June 13th, 1975
(Emergency Clause)

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(1) Disability and service retirement is effective on the first day of the month next following the last day for which compensation was paid if the board of any system receives an application for retirement within three months after that date. If the application is received later than three months after that date, retirement is effective as of the first day of the month next following the date of receipt by any system.

(2) "Total service credit" includes the total credit in all retirement systems except that such credit shall not exceed one year for any period of twelve months.

(3) In determining eligibility for disability retirement the medical examiner's report to the board of any retirement system, showing that the member's disability incapacitates him for the performance of duty and that he ought to be retired, may be accepted as sufficient for granting disability retirement.

(4) The retirement system in which the member had the greatest service credit without adjustment, shall determine and pay the total benefit. If his credit is equal in two or more retirement systems, the system having the member's largest total contributions shall determine and pay the total benefit.

(5) In determining the total credit to be used in calculating the benefit, credit shall not be reduced below that certified by the system or systems transferring credit, except that such total combined service credit shall not exceed one year of credit for any one "year" as defined in the statute governing the system making the calculation.

(6) The retirement system determining and paying the benefit, shall receive from the other system or systems the present value as determined by the transferring system of the proportionate share of the TOTAL reserve required to fund the total liability.

(a) The annuity rates and mortality tables of the retirement system making the calculation and paying the benefit shall be applicable.

(b) Deposits made for the purchase of additional income, with guaranteed interest, upon the member's request, shall be transferred to the retirement system paying the regular retirement benefit. The return upon such deposits shall be that offered by the retirement system making the calculation and paying the regular retirement benefit.

(C) A person receiving a benefit under this section, who accepts employment amenable to coverage in any retirement system which participated in his combined retirement, shall be subject to the applicable provisions of law governing such re-employment. The retirement system paying a combined retirement benefit shall terminate the entire pension portion of the benefit for the period of re-employment, once the applicable provisions of law relative to days re-employed or compensation earned, have transpired.

If a retirant should be paid any amount to which he is not entitled under the applicable provisions of law governing such re-

employment, such amount shall be recouped by the retirement system paying such benefit by utilizing any recovery procedure available under the law of the retirement system covering such re-employment.

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eff 6-13-75