

Sec. ~~3307.42~~ 3307.631. (A) A member ~~with~~ PARTICIPATING IN THE PLAN DESCRIBED IN SECTIONS 3307.50 TO 3307.79 OF THE REVISED CODE WHO HAS disability coverage under this section ~~who~~ AND is determined by the state teachers retirement board under section ~~3307.42~~ 3307.62 of the Revised Code to qualify for a disability benefit shall receive a disability allowance under this section. The allowance shall be an annual amount equal to the greater of the following:

- (1) Forty-five per cent of the member's final average salary;
- (2) The member's total service credit multiplied by two and ~~one-tenth~~ TWO-TENTHS per cent of ~~his~~ THE MEMBER'S final average salary, not exceeding sixty per cent of ~~his~~ THE MEMBER'S final average salary.

(B) Sufficient reserves for payment of the disability allowance shall be transferred to the annuity and pension reserve fund from the employers' trust fund. The accumulated contributions of the member shall remain in the teachers' savings fund. No part of the allowance paid under this section shall be charged against the member's accumulated contributions.

(C) A disability allowance paid under this section shall terminate at the earliest of the following:

- (1) The effective date of service retirement under section ~~3307.38~~ 3307.57 or ~~3307.41~~ 3307.58 of the Revised Code;
- (2) The date the allowance is terminated under section ~~3307.44~~ 3307.64 of the Revised Code;
- (3) The later of the last day of the month in which the recipient attains age sixty-five, or the last day of the month in which the benefit period ends as follows:

Attained Age at Effective Date of Disability Allowance	Benefit Period
60 or 61	60 months
62 or 63	48 months
64 or 65	36 months
66, 67, or 68	24 months
69 or older	12 months

SECTION 6. The State Teachers Retirement Board shall recalculate under section 3307.58, 3307.59, or 3307.631 of the Revised Code, as amended by this act, a benefit that is payable under those sections or section 3307.60 of the Revised Code and became effective on or after July 1, 1999, but before the effective date of this act. If the recalculated benefit is greater than the recipient's benefit prior to the recalculation, the board shall do both of the following:

- (A) Pay the recalculated benefit;
- (B) Make a one-time payment to the recipient equal to the difference between the benefits paid to the recipient between July 1, 1999, and the date of the payment and the increased benefits that would have been paid to the recipient had the amendments to sections 3307.58, 3307.59, and 3307.631 of the Revised Code gone into effect on July 1, 1999.

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