

Sec. 3307.6914. (A) AS USED IN THIS SECTION:

(1) "CUMULATIVE PERCENTAGE CHANGE IN THE CPI" MEANS THE TOTAL PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX PREPARED BY THE UNITED STATES BUREAU OF LABOR STATISTICS FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W: U.S. CITY AVERAGE, ALL ITEMS) FROM THE THIRTY-FIRST DAY OF DECEMBER IMMEDIATELY PRECEDING THE YEAR IN WHICH THE ORIGINAL BENEFIT STARTED THROUGH THE THIRTY-FIRST DAY OF DECEMBER IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS SECTION.

(2) "ORIGINAL BENEFIT AMOUNT" HAS THE SAME MEANING AS IN SECTION 3307.6911 OF THE REVISED CODE.

(B)(1) EXCEPT AS PROVIDED IN DIVISION (B)(2) OF THIS SECTION, FOR EACH ELIGIBLE RECIPIENT OF A BENEFIT PAYABLE UNDER SECTION 3307.58, 3307.59, 3307.60, 3307.63, 3307.631, OR 3307.66 OF THE REVISED CODE, THE BOARD SHALL DETERMINE AN AMOUNT EQUAL TO THE SUM OF THE FOLLOWING AMOUNTS:

(a) AN AMOUNT EQUAL TO EIGHTY-FIVE PER CENT OF THE ORIGINAL BENEFIT AMOUNT, EXCEPT THAT IF THE RECIPIENT IS NOT THE INDIVIDUAL TO WHOM THE ORIGINAL BENEFIT AMOUNT WAS GRANTED, THE AMOUNT SHALL EQUAL EIGHTY-FIVE PER CENT OF THE PRODUCT OBTAINED WHEN THE ORIGINAL BENEFIT AMOUNT IS MULTIPLIED BY THE PERCENTAGE OF THE ORIGINAL BENEFIT AMOUNT BEING PAID TO THE RECIPIENT;

(b) AN AMOUNT EQUAL TO THE PRODUCT OBTAINED WHEN THE AMOUNT DETERMINED UNDER DIVISION (B)(1) OF THIS SECTION IS MULTIPLIED BY THE CUMULATIVE PERCENTAGE CHANGE IN THE CPI.

(2) FOR EACH ELIGIBLE RECIPIENT OF A BENEFIT UNDER SECTION 3307.66 OF THE REVISED CODE THAT IS PAYABLE BY REASON OF THE DEATH OF A MEMBER WHO, AT THE TIME OF DEATH, WAS RECEIVING A BENEFIT UNDER SECTION 3307.63 OR 3307.631 OF THE REVISED CODE, THE BOARD SHALL DETERMINE ALL OF THE FOLLOWING:

(a) THE PRODUCT OBTAINED BY MULTIPLYING THE DECEASED MEMBER'S FINAL AVERAGE SALARY BY THE CUMULATIVE PERCENTAGE CHANGE IN THE CPI.

(b) EIGHTY-FIVE PER CENT OF THE PRODUCT OBTAINED UNDER DIVISION (B)(2)(a) OF THIS SECTION.

(c) THE AMOUNT OF THE BENEFIT THAT WOULD BE PAYABLE UNDER SECTION 3307.66 OF THE REVISED CODE IF THE PRODUCT OBTAINED UNDER DIVISION (B)(2)(b) OF THIS SECTION WAS USED AS THE DECEASED MEMBER'S FINAL AVERAGE SALARY.

(C) IF THE AMOUNT DETERMINED UNDER DIVISION (B) OF THIS SECTION IS GREATER THAN THE ANNUAL BENEFIT BEING PAID TO THE RECIPIENT, THE BOARD SHALL RECALCULATE THE ANNUAL BENEFIT PAYABLE ON THE EFFECTIVE DATE OF THIS SECTION SO THAT IT EQUALS THE AMOUNT DETERMINED UNDER THAT DIVISION. IF THE RECIPIENT'S BENEFIT WAS RECALCULATED UNDER DIVISION (C) OF SECTION 3307.6913 OF THE REVISED CODE, THE BOARD SHALL USE THE RECALCULATED BENEFIT IN MAKING A DETERMINATION UNDER THIS SECTION.

(D) THE BOARD SHALL INCLUDE THE INCREASE IN AMOUNT PAID UNDER THIS SECTION IN AN INDIVIDUAL'S BASE FOR PURPOSES OF FUTURE INCREASE IN ANY BENEFIT UNDER SECTION 3307.67 OF THE REVISED CODE.

(E) THE BOARD SHALL MAKE THE RECALCULATIONS REQUIRED UNDER THIS SECTION NOT LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. THE BOARD MAY ADOPT RULES TO IMPLEMENT THIS SECTION.

SECTION 7. As used in this section, "eligible recipient" has the same meaning as in section 3307.6913 of the Revised Code.

The State Teachers Retirement Board shall make a one-time payment to each eligible recipient whose benefit is increased under section 3307.6913 or 3307.6914 of the Revised Code, as enacted by this act. The payment shall equal 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 those sections gone into effect on July 1, 1999.