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Sec. 3309.012. As used in this section, "school board member" means a member of a city, local, exempted village, or joint vocational school district board of education and a "governing board member" means a member of an educational service center governing board.

(A) Within thirty days of a school board member's or a governing board member's initially taking office, the board member shall elect whether to become a member of the school employees retirement system for the particular period of holding office just commencing by filing an election in writing with the SCHOOL BOARD OR GOVERNING BOARD treasurer of the board of education. The election shall be irrevocable while the school board member continuously holds office. If the school board member does not elect membership in the system, the person shall forever be barred from claiming or purchasing membership rights or credit for the particular period of holding office for which the election and notice was required. If the school board member elects membership in the system, the treasurer of the board of education shall file notice of the person's election with the school employees retirement board on a form provided by the retirement board. The person electing membership in the system shall have all rights, privileges, and obligations of membership in the system for the particular period for which the election was required.

Any school board member failing to make the election required under this division shall be considered to have elected not to become a member of the system for the particular period for which the election was required.

(B) Within ninety days of the effective date of this amendment to this section NOVEMBER 23, 1995, each SCHOOL OR GOVERNING BOARD member of a board of education on the day immediately preceding that effective date shall elect, by filing an election in writing with the SCHOOL BOARD OR GOVERNING BOARD treasurer of the board of education, whether to become a member of the school employees retirement system for the particular period commencing on the date on which the election under this division is filed with the treasurer of the board of education and continuing as long as the person continuously holds office as a school board member.

The treasurer of the board of education shall file written notice of each school board member's election under this division with the school employees retirement board on a form provided by the retirement board. The election shall be irrevocable while a school board member continuously holds office. If a school board member does not elect membership in the system, the person shall forever be barred from claiming or purchasing membership rights or credit for the particular period of holding office for which the election was required. If the school board member elects membership in the system, the person shall have all rights, privileges, and obligations of membership in the system for the particular period for which the election was required. This period of membership shall be effective on the date on which the election is filed with the SCHOOL BOARD OR GOVERNING BOARD treasurer of the board of education.

Any school board member who elected membership in the system under this section prior to the effective date of this amendment to this section NOVEMBER 23, 1995, and who fails to make the election required under this division shall be considered to have elected to be a member of the system for the particular period for which the election was required. Any school board member who elected not to be a member of the system under this section prior to the effective date of this amendment to this section NOVEMBER 23, 1995, and who fails to make the election required under this division shall be considered to have elected not to become a member of the system for the particular period for which the election was required.

SECTION 3. Notwithstanding sections 145.27, 742.41, 3307.21, 3309.22, and 5505.04 of the Revised Code and any other section of the Revised Code, the Public Employees Retirement System, Police and Firemen's Disability and Pension Fund, State Teachers Retirement System, School Employees Retirement System, and State Highway Patrol Retirement System shall furnish to William M. Mercer, Inc., the authorized agent of the Joint Legislative Committee to Study Ohio's Public Retirement Plans established by the President of the Senate and the Speaker of the House of Representatives of the 121st General Assembly, any records, including but not limited to any medical reports or information or statements of earnings obtained by the Board of Trustees of the Police and Firemen's Disability and Pension Fund pursuant to section 742.3720 of the Revised Code or any similar reports, information, or statements obtained by the board of any other system or fund, that are identified in a subpoena issued in accordance with section 101.41 of the Revised Code by the Joint Legislative Committee. If any members of the Joint Legislative Committee themselves intend actually to review any records or copies of records furnished by any retirement system or fund, the Joint Legislative Committee shall have its authorized agent delete from these records or copies of records any personally identifiable information prior to review by the Committee members. If the Joint Legislative Committee believes on the basis of information provided by its authorized agent that there is cause, the Committee may also instruct its authorized agent to provide to any governmental entity that has subpoena power any records furnished by a system or fund to the Committee and nothing in this section shall be construed to prohibit the Committee from instructing its authorized agent to provide these records. The Joint Legislative Committee and its authorized agent shall preserve the confidentiality of any information in a record that is considered to be confidential or privileged as provided in section 145.27, 742.41, 3307.21, 3309.22, and 5505.04 of the Revised Code, and the records shall not be open to public inspection.

Records and copies of records furnished under this section to the Joint Legislative Committee shall be returned by the Joint Legislative Committee to the retirement system from which the records or copies were obtained immediately on completion of their use by the Joint Legislative Committee or its authorized agent.

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Emergency Clause
Effective
3-6-96

SECTION 4. The Revised Code sections contained in Section 1 of this act, except for section 3309.012 of the Revised Code, shall take effect ninety-one days after the effective date of this act. Section 3309.012 of the Revised Code, as amended by this act, shall take effect at the earliest time permitted by law.

SECTION 5. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that the Joint Legislative Committee to Study Ohio's Public Retirement Systems, in conducting a critical comprehensive review of the operations and financial security of the five systems, must obtain sufficient data to permit an immediate and thorough evaluation of the disability programs under the jurisdiction of the legislature in order to protect without delay the financial security of public employees and the financial interests of Ohio taxpayers, and that governing board members of educational service centers need to be clearly included in an election of membership in the School Employees Retirement System provided by Sub. H.B. 226 of the 121st General Assembly, effective November 23, 1995, and that must be made within 90 days of that effective date.

Emergency Clause
Effective 3-6-96