

12.5 O. L.

H. B. 1

Sec. 3309.01 (7896-64). Definitions.

*** As used in sections 3309.01 to 3309.68, inclusive, of the Revised Code:

(A) "Employer" *** means the board of education, school district, or other agency within the state *** by which an *** employee is employed or paid.

*** (B) "Employee" means any person regularly employed in the public schools of the state *** other than members of the state *** teachers retirement system or any other retirement system established under the laws of this state; and any *** employee, not a member of the state *** teachers retirement system, or of any other retirement system established under the laws of this state, in any school or college or other institution wholly controlled and managed, and wholly or partly supported by the state or any subdivision thereof, the board of trustees or other managing body of which shall accept the requirements and obligations of *** sections 3309.01 to 3309.68, inclusive, of the Revised Code. In all cases of doubt the school employees retirement board shall determine whether any person is an *** employee, as defined in this *** division, and its decision shall be final. No *** employee shall be excluded from membership in the school employees retirement system because of membership in any other state retirement system established under *** the laws of this state unless such *** employee is contributing to such other retirement system on the basis of a salary of three thousand dollars per annum or is receiving a disability allowance from such other retirement system.

*** (C) "Present employee" means any person who was an *** employee before *** September 1, 1937, whose membership in the school employees retirement system has been continuous; ***

(1) Who became a member on said date, or on the date of his first service as an *** employee after said date and within one year after his last day of service previous to *** September 1, 1937;

(2) Who was an *** employee of a school or college or other institution on said date, or on a subsequent date within one year after his last day of service as such *** employee previous to *** September 1, 1937, and who continued thereafter to be an *** employee thereof until he, with the other *** employees of such school or college or other institution, be-

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came a member of the *school employees* retirement system as provided in *** sections 3309.01 to 3309.68, inclusive, of the Revised Code;

(3) *Who* was a member of a local district pension system on said date, or on the date of his first eligibility to such membership after said date and within one year after his last day of membership therein previous to *** September 1, 1937, and who continued thereafter to be a member until he, with the membership of such local district pension system, became a member of the *school employees* retirement system.

*** (D) "*New Entrant*" means any *** employee who is a member except a *** present employee;

(E) "*Prior service*" means all service as an *** employee, as defined *** in division (B) of this section, and all service as an *** employee of any employer who comes *** under the public *** employees retirement system *** or of the state *** teachers retirement system, or any other state retirement system established under the laws of Ohio, for service rendered before *** September 1, 1937, by a member and similar service in another state credit for which was procured by a member as provided by *** section 3309.31 of the Revised Code, provided *** prior service shall not be granted to any member or new entrant for service rendered in Ohio for which credit or benefits have been received or waived by exemption in any other state retirement system in Ohio or for credit that was forfeited by withdrawal of contributions ***. This division does not *** cancel any *** prior service granted by the *school employees* retirement board during the period of time beginning September 1, 1937, and ending June 29, 1939. If said *** employee served as an *** employee in any two, or all of said capacities, *** prior service means the total combined service rendered in said capacities prior to September *** 1, 1937. Prior service also includes service in the armed forces of the United States subject to *** section *** 3309.02 of the Revised Code.

*** (F) "*Total service*" means all service of a member of the *school employees* retirement system since last becoming a member, and in addition thereto, all his *** prior service, computed as provided in *** sections 3309.28 to 3309.33, inclusive, of the Revised Code.

(G) "*Member*" *** means any person included in the membership of the *school employees* retirement system ***.

(H) "*Contributor*" *** means any person who has an account in the *** employees' savings fund.

(I) "*Beneficiary*" *** means any person in receipt of a retirement allowance or other benefit provided by *** sections 3309.01 to 3309.68, inclusive, of the Revised Code.

(J) "*Regular interest*" *** and "*uniform interest*" as specified in *** division (D) of section 3309.60 of the Revised Code means interest at such rate *** for the respective funds as the *school employees* retirement board may *** determine, which rate *** shall never be more than four per *** cent per annum, compounded annually ***. Upon retirement the annuity granted any member shall have a reserve equal to the total of such *** employee's regular contributions with interest at the rate of four per *** cent per annum, compounded annually. *** In the purchase of out-of-state service credit as provided in section *** 3309.31 of the Revised Code, and in the purchase of additional annuity, as provided in *** section 3309.47 and division (C) of section 3309.60 of the Revised Code, or when an indefinite leave of absence has been granted as provided in sections ***

3309.26 and 3309.27 of the Revised Code, interest shall be computed and credited to reserves therefor at such rate *** as the school employees retirement board shall fix as regular interest thereon.

(K) "Accumulated contributions" *** means the sum of all amounts deducted from the compensation of a member and credited to his individual account in the *** employees' savings fund together with regular interest thereon.

(L) "Final average salary" *** means the average annual compensation, not exceeding two thousand dollars, of a member during the ten years or fractions thereof during which he received his greatest income as an *** employee, prior to his date of retirement. *** Final average salary for a member on an indefinite leave of absence *** is the average salary earned by the member for the ten years or fractions thereof during which he received his greatest income and for which he received service credit provided said final average salary does not exceed two thousand dollars.

(M) "Annuity" *** means payments for life derived from contributions made by a contributor and paid from the annuity and pension reserve fund as provided in *** sections 3309.01 to 3309.68, inclusive, of the Revised Code. All annuities shall be paid in twelve equal monthly installments.

(N) "Pension" *** means annual payments for life derived from ~~ap-
propriations~~ made by an employer and paid from the employers' accumulation fund or the annuity and pension reserve fund ***. All pensions shall be paid in twelve equal monthly installments.

(O) "Retirement allowance" *** means the pension plus the annuity.

(P) "Annuity reserve" *** means the present value computed upon the basis of such mortality tables as *** are adopted by the school employees retirement board of all payments to be made on account of any annuity, or benefit in lieu of any annuity, granted to a member ***.

(Q) "Pension reserve" *** means the present value, computed upon the basis of such mortality tables as *** are adopted by the school employees retirement board, of all payments to be made on account of any pension, or benefit in lieu of any pension, granted to a member ***.

(R) "Year" for the administration of *** sections 3309.01 to 3309.68, inclusive, of the Revised Code, means the year beginning the first day of July *** and ending with the thirtieth day of June *** next following.

(S) "Local district pension system" *** means any school *** employees' pension fund created in any school district of the state *** prior to *** September 1, 1937.

appropriations