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Sub. S.B. 3

Sec. 3309.02. (A) AS USED IN THIS SECTION, "ARMED FORCES" OF THE UNITED STATES INCLUDES BOTH:

(1) ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, AUXILIARY CORPS AS ESTABLISHED BY CONGRESS, ARMY NURSE CORPS, NAVY NURSE CORPS, RED CROSS NURSE SERVING WITH THE ARMY, NAVY, AIR FORCE, OR HOSPITAL SERVICE OF THE UNITED STATES, FULL-TIME SERVICE WITH THE AMERICAN RED CROSS IN A COMBAT ZONE, AND SUCH OTHER SERVICE AS IS DESIGNATED BY CONGRESS AS INCLUDED THEREIN;

(2) PERSONNEL OF THE OHIO NATIONAL GUARD, THE OHIO MILITARY RESERVE, THE OHIO NAVAL MILITIA, AND THE RESERVE COMPONENTS OF THE ARMED FORCES ENUMERATED IN DIVISION (A)(1) OF THIS SECTION WHO ARE CALLED TO ACTIVE DUTY PURSUANT TO AN EXECUTIVE ORDER ISSUED BY THE PRESIDENT OF THE UNITED STATES OR AN ACT OF CONGRESS.

(B) Upon presentation of an honorable discharge or certificate of service, and subject to rules adopted by the school employees retirement board, any member of the school employees retirement system who was a member with not less than one year of unadjusted service credit prior to active service in the armed forces of the United States subsequent to October 31, 1965, and who returns to service as an employee or as an employee in a capacity covered by either the public employees retirement system or the state teachers retirement system within two years after receiving such discharge or release, and establishes one year of service credit, shall have such service considered as prior service, provided that the total amount of such service granted by the board shall not exceed ten years. This section shall not serve to cancel any military service credit earned or granted prior to November 1, 1965. ~~"Armed forces" of the United States, as used in this section, includes army, navy, air force, marine corps, coast guard, auxiliary corps as established by congress, army nurse corps, navy nurse corps, red cross nurse serving with the army, navy, air force, or hospital service of the United States, full-time service with the American red cross in a combat zone, and such other service as is designated by congress as included therein.~~

(C) A member of the school employees retirement system is ineligible to receive service credit under this section for any year of military service credit used in the calculation of any retirement benefit currently being paid to the member or payable in the future under any other retirement program except social security. At the time such credit is requested the

member shall certify on a form supplied by the retirement board that the member does and will conform to this requirement. Any benefit paid under this section to which the member is not entitled shall be recovered by any recovery procedures available under this chapter. This ~~paragraph~~ DIVISION does not cancel any military service credit earned prior to the ~~effective date of this paragraph~~ MARCH 15, 1979.

Effective
4-17-91