

**Designation of state retirement systems; combining contributions and service credits.**

Sec. 3309.35. For the purpose of further co-ordinating and integrating membership in the public employees retirement system and the state teachers retirement system with membership in the school employees retirement system for the purposes of retirement, the following provisions apply:

(A) State retirement systems shall be the public employees retirement system, the state teachers retirement system, and the school employees retirement system.

(B) At the option of a member, or of a beneficiary as provided in sections 3309.44 and 3309.45 of the Revised Code, total contributions and service credit in all state retirement systems shall be used in determining the eligibility and total retirement allowance for the purpose of superannuation, commuted superannuation, disability retirement, and other benefits. Where total contributions and service credit are so combined, the following provisions apply:

(1) Superannuation and commuted superannuation retirement shall be effective at the end of the quarter of the calendar year then current.

(2) "Total service credit" includes the total credit in all state retirement systems except that such credit shall not exceed one year for any period of twelve months. If such total service credit is ten or more years he shall qualify for an indefinite leave of absence under the provisions of section 3309.27 of the Revised Code.

(3) The cost of the "basic annual pension" and the "minimum allowance" shall be shared by all systems but such "basic annual pension" shall not exceed one hundred eighty dollars and the portion payable by the school employees retirement system shall be an amount equal to the ratio that total service credit in such system bears to the total service credit in all the state retirement systems.

(4) The member's accumulated contributions in all state retirement systems, based upon total salaries received from employment covered by all such systems, shall not exceed an amount which would have accumulated had contributions been made to one state retirement system. The total service credit in each state retirement system for each year shall be in the ratio that the contributions bear to the total contributions in all state retirement systems for such year and any excess contributions shall be refunded to the member.

(5) Effective June 30, 1955, and for the purposes of this section only, "final average salary" means the highest average annual compensation or earnings of a member during any five years of contributions within the ten years immediately preceding termination of contributions and shall be determined by dividing the total earnings during such period by the service credited during such period. If contributions were not made during any five years within the last ten years preceding the termination of con-

tributions the final average salary shall be determined by averaging the compensation for the total number of years or fractions thereof as a contributor within such ten-year period. \*\*\*

(6) In determining eligibility for the disability retirement allowance, the medical examiner's report to the retirement board of any state retirement system, showing that the member's disability incapacitates him for the performance of duty and that he ought to be retired, may be accepted as sufficient for granting disability retirement.

(7) If the greater portion of the total allowance is payable by the school employees retirement system then payment of at least that portion shall be made by such system directly to the annuitant.

When a member or beneficiary elects to combine total contributions and service credit in all state retirement systems, the school employees retirement board, together with the other retirement boards, shall decide any and all problems arising in connection therewith and their decisions shall be final.

Effective September 16, 1957