

136 O.L.

Am. Sub. H.B. 268

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 TO COORDINATE AND INTEGRATE MEMBERSHIP IN THE STATE RETIREMENT SYSTEMS, the following provisions apply:

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

(B) At the option of a member, total contributions and service credit in all state retirement systems shall be used in determining the eligibility and total retirement allowance payable. When total contributions and service credit are so combined, the following provisions apply:

(1) Disability, service, and commuted service retirement is effective ~~on~~ NO SOONER THAN the first day of the month next following the last day of employment for which compensation was paid if the board of any system receives an application for retirement within three months after that date. If the application is received later than three months after that date, retirement is effective as of the first day of the month next following the date of receipt by any system. IF

THE APPLICATION IS FILED AFTER THAT DATE, THE BOARD MAY RETIRE THE MEMBER ON THE FIRST DAY OF THE MONTH NEXT FOLLOWING THE LAST DAY OF EMPLOYMENT FOR WHICH COMPENSATION WAS PAID.

(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.

(3) In determining eligibility for a 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 by the state retirement boards as sufficient for granting disability retirement.

(4) The state retirement system in which the member had the greatest service credit without adjustment, shall determine and pay the total retirement allowance. Where his credit is equal in two or more state retirement systems, the system having the largest total contributions of the member shall determine and pay the total retirement allowance.

(5) In determining the total credit to be used in calculating the retirement allowance, credit shall not be reduced below that certified by the system or systems transferring credit, except that such total combined service credit shall not exceed one year of credit for any one "year" as defined in the law of the system making the calculation.

(6) The state retirement system determining and paying the retirement allowance shall receive from the other system or systems the present value as determined by the transferring system of the proportionate share of the total reserve required to fund the total liability MEMBER'S REFUNDABLE ACCOUNT AT RETIREMENT PLUS AN EQUAL AMOUNT FROM THE EMPLOYERS' TRUST FUND.

(a) The annuity rates and mortality tables of the state retirement system making the calculation and paying the retirement allowance shall be exclusively applicable.

(b) Deposits made for the purchase of an additional annuity, and including guaranteed interest, upon the request of the member, shall be transferred to the state retirement system paying the retirement allowance. The return upon such deposits shall be that offered by the state retirement system making the calculation and paying the retirement allowance.

(C) A former member receiving a retirement allowance under this section, who accepts employment amenable to coverage in any state retirement system which participated in his combined retirement, shall be subject to the applicable provisions of law governing such re-employment. The state retirement system paying a combined retirement allowance shall terminate the entire pension portion of such allowance being paid such former member, for the period of re-employment, once the applicable provisions of law

relative to days re-employed or compensation earned, have transpired. If a former member should be paid any amount in a retirement allowance, to which he is not entitled under the applicable provisions of law governing such re-employment, such amount shall be recovered by the state retirement system paying such allowance by utilizing any recovery procedure available under the code provisions of the state retirement system covering such re-employment.

Effective Aug. 20, 1976