

Sec. 3309.491. (A) An actuary employed by the school employees retirement board shall annually determine the minimum annual compensation amount for each member that will be needed to fund the cost of providing future health care benefits under section 3309.69 of the Revised Code. The amount determined by the actuary under this division shall be approved by the board and shall be known as the "minimum compensation amount."

(B) ~~For each member whose compensation for the prior year was less than the minimum compensation amount, the~~ (1) THE secretary of the school employees retirement board shall annually determine ~~and certify to the member's~~ FOR EACH employer the "employer minimum compensation contribution," which

SUBJECT TO DIVISION (B)(2) OF THIS SECTION, THE AMOUNT DETERMINED shall be the ~~amount~~ LESSER OF THE FOLLOWING:

(a) AN AMOUNT EQUAL TO TWO PER CENT OF THE COMPENSATION OF ALL MEMBERS EMPLOYED BY THE EMPLOYER DURING THE PRIOR YEAR;

(b) THE TOTAL OF THE AMOUNTS determined as follows FOR EACH MEMBER WHOSE COMPENSATION FOR THE PRIOR YEAR WAS LESS THAN THE MINIMUM COMPENSATION AMOUNT:

(1) (i) Subtract the member's compensation for the prior year from the minimum compensation amount;

(2) (ii) Multiply the remainder obtained under division (B)(1)(b)(i) of this section by one, or if the member earned less than a year's service credit for the prior year, by the same fraction as the fraction of a year's service credit credited to the member under section 3309.30 of the Revised Code;

(3) (iii) Multiply the product obtained under division (B)(2) (1)(b)(ii) of this section by the employer contribution rate in effect for the year the service credit was earned.

(2) IF THE TOTAL OF THE EMPLOYER MINIMUM CONTRIBUTION AMOUNTS DETERMINED UNDER DIVISION (B)(1) OF THIS SECTION EXCEEDS ONE AND ONE-HALF PER CENT OF THE COMPENSATION OF ALL MEMBERS EMPLOYED BY EMPLOYERS REQUIRED TO PAY THE EMPLOYER MINIMUM COMPENSATION CONTRIBUTION, THE SCHOOL EMPLOYEES RETIREMENT BOARD SHALL REDUCE THE AMOUNT DETERMINED FOR EACH EMPLOYER SO THAT THE TOTAL AMOUNT DETERMINED DOES NOT EXCEED ONE AND ONE-HALF PER CENT OF THE COMPENSATION OF ALL MEMBERS EMPLOYED BY EMPLOYERS REQUIRED TO PAY THE EMPLOYER MINIMUM COMPENSATION CONTRIBUTION. ANY REDUCTION SHALL BE APPLIED TO EACH EMPLOYER IN THE SAME PROPORTION AS THE EMPLOYER'S MINIMUM COMPENSATION CONTRIBUTION BEARS TO THE TOTAL EMPLOYER MINIMUM COMPENSATION CONTRIBUTION.

(C) THE SECRETARY SHALL ANNUALLY CERTIFY TO EACH EMPLOYER THE EMPLOYER MINIMUM COMPENSATION CONTRIBUTION DETERMINED UNDER DIVISION (B) OF THIS SECTION. In addition to the employer contribution required by section 3309.49 of the Revised Code, each employer shall pay annually to the ~~employer's~~ EMPLOYERS' trust fund the ~~total of the amounts~~ AMOUNT certified to the employer under THIS division (B) of this section.

(D) Annually by the first day of August, the secretary shall submit to the superintendent of public instruction a list of the payments made by each employer under this ~~division~~ SECTION during the preceding fiscal year.