

Sec. 5505.16. (A) A member of the state highway patrol retirement system who has been in the service of the state highway patrol for a period of twenty years as an employee according to the rules adopted by the state highway patrol retirement board, may make application for a deferred pension which shall not be payable until the member attains the age of fifty-two years, EXCEPT THAT ANY SUCH MEMBER WHO HAS ATTAINED TWENTY YEARS OF SERVICE MAY, ON OR AFTER THE DATE HE ATTAINS FORTY-EIGHT YEARS OF AGE BUT BEFORE THE DATE HE ATTAINS FIFTY-TWO YEARS OF AGE, ELECT TO RECEIVE A REDUCED PENSION AS FOLLOWS:

ATTAINED AGE	REDUCED PENSION
48	SEVENTY-FIVE PER CENT OF NORMAL SERVICE PENSION
49	EIGHTY PER CENT OF NORMAL SERVICE PENSION
50	EIGHTY-SIX PER CENT OF NORMAL SERVICE PENSION
51	NINETY-THREE PER CENT OF NORMAL SERVICE PENSION

IN THE CASE OF A MEMBER WHO ELECTS TO RECEIVE A REDUCED PENSION ON OR AFTER THE DATE HE ATTAINS FORTY-EIGHT YEARS OF AGE BUT BEFORE THE DATE HE ATTAINS FORTY-NINE YEARS OF AGE, THE REDUCED PENSION IS PAYABLE FROM THE DATE HE ATTAINED FORTY-EIGHT YEARS OF AGE OR FROM THE DATE HE BECOMES ELIGIBLE TO RECEIVE THE REDUCED PENSION, WHICHEVER IS LATER. IN THE CASE OF A MEMBER WHO ELECTS TO RECEIVE A REDUCED PENSION ON OR AFTER THE DATE HE ATTAINS FORTY-NINE YEARS OF AGE BUT BEFORE THE DATE HE ATTAINS FIFTY YEARS OF AGE, THE REDUCED PENSION IS PAYABLE FROM THE DATE HE ATTAINED FORTY-NINE YEARS OF AGE OR FROM THE DATE HE BECOMES ELIGIBLE TO RECEIVE THE

REDUCED PENSION, WHICHEVER IS LATER. IN THE CASE OF A MEMBER WHO ELECTS TO RECEIVE A REDUCED PENSION ON OR AFTER THE DATE HE ATTAINS FIFTY YEARS OF AGE BUT BEFORE THE DATE HE ATTAINS FIFTY-ONE YEARS OF AGE, THE REDUCED PENSION IS PAYABLE FROM THE DATE HE ATTAINED FIFTY YEARS OF AGE OR FROM THE DATE HE BECOMES ELIGIBLE TO RECEIVE THE REDUCED PENSION, WHICHEVER IS LATER. IN THE CASE OF A MEMBER WHO ELECTS TO RECEIVE A REDUCED PENSION ON OR AFTER THE DATE HE ATTAINS FIFTY-ONE YEARS OF AGE BUT BEFORE THE DATE HE ATTAINS FIFTY-TWO YEARS OF AGE, THE REDUCED PENSION IS PAYABLE FROM THE DATE HE ATTAINED FIFTY-ONE YEARS OF AGE OR FROM THE DATE HE BECOMES ELIGIBLE TO RECEIVE THE REDUCED PENSION, WHICHEVER IS LATER.

ONCE A MEMBER ELECTS TO RECEIVE A REDUCED PENSION IN ACCORDANCE WITH THE SCHEDULE PROVIDED IN THIS DIVISION AND HAS RECEIVED A PAYMENT IN CONNECTION THEREWITH, HE MAY NOT CHANGE HIS ELECTION.

(B) Any member who attains the age of fifty-five years and has been in the service of the patrol for a period of twenty years as a uniformed patrol officer according to the rules adopted by the board, ~~must~~ SHALL file application for retirement with the board, and if he refuses or neglects to do so ~~such~~, THE board may deem his application to have been filed on his fifty-fifth birthday. ~~Such~~ THE member may, upon written application, approved by the superintendent of the state highway patrol, be continued in service after attaining the age of fifty-five years, BUT only until ~~such time as such~~ THE member has accumulated twenty years of service.

(~~B~~)C) A member's total service credit may include periods not to exceed a total of seven years, while his employment with the state highway patrol is or was interrupted due to service rendered by him in the armed forces of the United States except such members who enlist, volunteer, or seek active military status during ~~peace-time~~ PEACETIME periods; however, no member shall lose any military service credit by virtue of his having enlisted to satisfy his military service obligation under the "Selective Service Act." Such military service shall be credited to him towards total service as provided by Chapter 5505. of the Revised Code and to the extent approved by the board, provided that:

Effective Date
November 18, 1981

(1) He is or was honorably discharged from such armed service FORCES;

(2) He is or was ~~re-employed~~ REEMPLOYED by the state highway patrol within ninety days immediately following termination of such armed service;

(3) He pays into the retirement system to his credit in the employees' savings fund an amount equal to the total contributions he would have paid had his state highway patrol employment not been so interrupted. Such repayment shall begin within ninety days after his return to duty with the state highway patrol and must be completed within a period of time equal to that of the inclusive dates of his military service.

A member of the ~~state highway patrol retirement~~ system is ineligible to purchase service credit under this section for any year of military service used in the calculation of any retirement benefit currently being paid or payable in the future under any other retirement program except social security. At the time the credit is purchased the member shall certify on a form furnished by the retirement board that he 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.

SECTION 4. Notwithstanding division (A) of section 5505.16 of the Revised Code, a member of the State Highway Patrol Retirement System who elected, prior to the effective date of this act, to take a deferred pension and who has not received a payment in connection therewith may elect instead to receive a reduced pension as provided in division (A) of section 5505.16 of the Revised Code, except that the reduced pension shall be computed on the basis of the pension formula in effect at the time of retirement.

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