

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-five years as an employee according to the rules adopted by the state highway patrol retirement board may make application for a pension which, if he is under age forty-eight, shall be deferred until he attains age forty-eight.

(B) A member of the retirement system who has been in the service of the highway patrol for a period of twenty years as an employee according to the rules adopted by the retirement board, may make application for a pension which, if he is under age fifty-two, shall be deferred until he attains age fifty-two, except that any such member who has attained twenty years of service may, on or after the date he attains age forty-eight but before the date he attains age fifty-two, elect to receive a reduced pension as follows:

Attained Age	Reduced Pension
48	75% of normal service pension
49	80% of normal service pension
50	86% of normal service pension
51	93% 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.

(C) 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, shall file application for retirement with the board, and if he refuses or neglects to do so, the board may deem his application to have been filed on his fifty-fifth birthday. 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 the member has accumulated twenty years of service.

(D)(1) As used in this division, "armed forces" of the United States includes both:

(a) 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 the congress as included therein;

(b) 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.

(2) 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. Such military service shall be credited to him towards

total service as provided by this chapter and to the extent approved by the board, provided that:

(a) He is or was honorably discharged from such armed forces;

(b) He is or was reemployed by the state highway patrol within ninety days immediately following termination of such armed service;

(c) 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.

(3) A member of the system is ineligible for service credit under DIVISION (D)(2) OF 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.

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(4) CREDIT PURCHASED BY A MEMBER UNDER DIVISION (D)(2) OF THIS SECTION SHALL BE USED TO DETERMINE THE MEMBER'S ELIGIBILITY FOR RETIREMENT UNDER THIS SECTION AND SECTION 5505.17 OF THE REVISED CODE.

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