

Sec. 5505.174. (A) THE FOLLOWING PERSONS ARE ELIGIBLE TO RECEIVE AN ADDITIONAL BENEFIT UNDER THIS SECTION:

(1) PERSONS SIXTY-TWO YEARS OLD OR OLDER WHO ARE RECEIVING PENSIONS PURSUANT TO SECTION 5505.16 OR 5505.17 OF THE REVISED CODE;

(2) PERSONS SIXTY-TWO YEARS OLD OR OLDER WHO ARE RECEIVING DISABILITY RETIREMENT BENEFITS PURSUANT TO SECTION 5505.18 OF THE REVISED CODE;

(3) PERSONS RECEIVING SURVIVOR'S BENEFITS PURSUANT TO SECTION 5505.17 OF THE REVISED CODE.

(B) ON THE FIFTEENTH DAY OF APRIL OF EACH YEAR THE STATE HIGHWAY PATROL RETIREMENT BOARD SHALL DETERMINE THE AVERAGE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX PREPARED BY THE UNITED STATES BUREAU OF LABOR STATISTICS (U.S. CITY AVERAGE FOR URBAN WAGE EARNERS AND CLERICAL WORKERS: ALL ITEMS 1967) FOR THE TWELVE-MONTH PERIOD PRIOR TO THE FIRST DAY OF JANUARY OVER THE NEXT PRECEDING TWELVE CALENDAR MONTH PERIOD, AS REPORTED BY THE BUREAU. UPON A DETERMINATION BY THE BOARD THAT SUCH CHANGE EQUALS OR EXCEEDS THREE PER CENT, THE BOARD SHALL INCREASE ALL BENEFITS PAYABLE UNDER THIS SECTION BY THREE PER CENT, PROVIDED THAT FUNDS ARE AVAILABLE FOR THIS ADDITIONAL BENEFIT.

THE FIRST ADDITIONAL BENEFIT IS PAYABLE TO ALL PERSONS WHO ON THE EFFECTIVE DATE OF THIS SECTION HAVE BEEN RECEIVING A PENSION OR BENEFIT FOR TWELVE MONTHS. THE ADDITIONAL BENEFIT IS PAYABLE FOR THE ENSUING TWELVE-MONTH PERIOD OR UNTIL THE NEXT INCREASE IS GRANTED UNDER THIS SECTION, WHICHEVER IS LATER.

THE DATE OF THE FIRST ADDITIONAL BENEFIT PAID UNDER THIS SECTION SHALL BE THE

ANNIVERSARY DATE FOR FUTURE ADDITIONAL BENEFITS. THE PENSION OR BENEFIT USED IN THE FIRST CALCULATION OF AN ADDITIONAL BENEFIT UNDER THIS SECTION SHALL REMAIN AS THE BASE FOR ALL FUTURE ADDITIONAL BENEFITS PAID UNDER THIS SECTION, UNLESS A NEW BASE IS ESTABLISHED.

ADDITIONAL BENEFITS PAID IN YEARS SUBSEQUENT TO THE YEAR OF THE FIRST ADDITIONAL BENEFIT PAID UNDER THIS SECTION SHALL BE PAID TO ALL PERSONS WHO, ON THE DATE THAT THE ADDITIONAL BENEFIT IS AUTHORIZED BY THE BOARD, HAVE BEEN RECEIVING A PENSION OR BENEFIT FOR TWELVE MONTHS.

THE BOARD SHALL, BY RULE, ESTABLISH A FUND INTO WHICH SHALL BE PAID ONE-HALF OF ONE PER CENT OF PAYROLL ANNUALLY FOR THE PAYMENT OF BENEFITS PROVIDED BY THIS SECTION. ANNUALLY THE BOARD SHALL DETERMINE WHETHER FUNDS ARE SUFFICIENT TO PAY SUCH BENEFIT. THE BOARD SHALL ADOPT, AND MAY AMEND OR RESCIND, ANY OTHER RULE NECESSARY TO CARRY OUT THIS SECTION.

SECTION 5. On the first day of the first month following the effective date of this act, the State Highway Patrol Retirement Board shall determine, in accordance with section 5505.174 of the Revised Code, the average percentage change in the Consumer Price Index prepared by the United States Bureau of Labor Statistics (U.S. City Average for Urban Wage Earners and Clerical Workers: All Items 1967) for calendar year 1980, as reported by the bureau. If the board determines that the average percentage change in the Consumer Price Index for the year 1980 was equal to or in excess of three per cent it shall increase all benefits payable under section 5505.174 of the Revised Code by three per cent, provided that funds are available for the additional benefit.

Effective DATE:
November 18, 1981