

Sec. 5505.174. (A) The following persons are eligible to receive an additional benefit under this section:

(1) Persons ~~fifty-seven~~ FIFTY-THREE years old or older who have been receiving pensions pursuant to division (B) of section 5505.16, ~~section 5505.162~~, division (A)(1) of section 5505.17, or division (B) of section 5505.18 of the Revised Code for not less than twelve months;

(2) Persons who have been receiving pensions pursuant to division (B) of section 5505.18 of the Revised Code for not less than sixty months regardless of age;

(3) Persons who have been receiving pensions pursuant to SECTION 5505.162 OR division (A)(3), (4), (5), (6), or (7) of section 5505.17 of the Revised Code for not less than twelve months regardless of age.

(B) On the fifteenth day of September of each year the state highway patrol retirement board shall determine the average percentage increase, if any, 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 1982-84 = 100") 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 increase equals or exceeds three per cent, the board shall increase all benefits payable under this section by three per cent, except that no benefit shall exceed the limit established by section 415 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 415, as amended.

Any percentage above three per cent shall be accumulated and combined with the percentage of any increase in succeeding years. For each person eligible to receive the additional benefit under this section, the accumulation shall commence on the later of May 6, 1988, or the effective date of the pension ~~he~~ THE PERSON receives. The increase provided for by this section shall be made whenever the person's accumulation is equal to or greater than three per cent.

The first additional benefit is payable to all persons becoming eligible on or after November 18, 1981. The additional benefit is payable for each 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 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, are eligible for the benefit as provided in this section.

The board shall adopt, and may amend or rescind, any rule necessary to carry out this section.

SECTION 3. Notwithstanding sections 145.27, 742.41, 3307.21, 3309.22, and 5505.04 of the Revised Code and any other section of the Revised Code, the Public Employees Retirement System, Police and Firemen's Disability and Pension Fund, State Teachers Retirement System, School Employees Retirement System, and State Highway Patrol Retirement System shall furnish to William M. Mercer, Inc., the authorized agent of the Joint Legislative Committee to Study Ohio's Public Retirement Plans established by the President of the Senate and the Speaker of the House of Representatives of the 121st General Assembly, any records, including but not limited to any medical reports or information or statements of earnings obtained by the Board of Trustees of the Police and Firemen's Disability and Pension Fund pursuant to section 742.3720 of the Revised Code or any similar reports, information, or statements obtained by the board of any other system or fund, that are identified in a subpoena issued in accordance with section 101.41 of the Revised Code by the Joint Legislative Committee. If any members of the Joint Legislative Committee themselves intend actually to review any records or copies of records furnished by any retirement system or fund, the Joint Legislative Committee shall have its authorized agent delete from these records or copies of records any personally identifiable information prior to review by the Committee members. If the Joint Legislative Committee believes on the basis of information provided by its authorized agent that there is cause, the Committee may also instruct its authorized agent to provide to any governmental entity that has subpoena power any records furnished by a system or fund to the Committee and nothing in this section shall be construed to prohibit the Committee from instructing its authorized agent to provide these records. The Joint Legislative Committee and its authorized agent shall preserve the confidentiality of any information in a record that is considered to be confidential or privileged as provided in section 145.27, 742.41, 3307.21, 3309.22, and 5505.04 of the Revised Code, and the records shall not be open to public inspection.

Records and copies of records furnished under this section to the Joint Legislative Committee shall be returned by the Joint Legislative Committee to the retirement system from which the records or copies were obtained immediately on completion of their use by the Joint Legislative Committee or its authorized agent.

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