

145 OH
Com AB
306

Sec. 5505.25. (A) A member of the state highway patrol retirement system who is not receiving a ~~disability benefit or~~ pension from the system may purchase service credit for each year of service incurred by reason of having been on active duty as a member of the armed forces of the United States if he is honorably discharged. ~~Credit purchased under this section shall be used in computing the member's years of service for purposes other than meeting the minimum number of years of service necessary in order to qualify under section 5505.16 of the Revised Code to receive a pension under this chapter.~~ Credits which are not authorized under division (D) of section 5505.16 of the Revised Code may be purchased at any time. The number of years purchased under this division shall not exceed five.

(B) For the purposes of this division, "prisoner of war" means any regularly appointed, enrolled, enlisted, or inducted member of the armed forces of the United States who was captured, separated, and incarcerated by an enemy of the United States.

A member may purchase service credit ~~which shall be considered as the equivalent of Ohio service~~ for each year of service such member was a prisoner of war. The number of years purchased under this division shall not exceed five. Service credit may be purchased under this division for the same years of service used to purchase service credit under division (A) of this section. The member may choose to purchase only part of such credit in any one payment, subject to board rules.

(C) The total number of years purchased under this section shall not exceed the member's total accumulated number of years of ~~Ohio~~ IN THE service OF THE STATE HIGHWAY PATROL.

CREDIT PURCHASED BY A MEMBER UNDER THIS SECTION SHALL BE USED TO DETERMINE THE MEMBER'S ELIGIBILITY FOR RETIREMENT UNDER SECTIONS 5505.16 and 5505.17 OF THE REVISED CODE.

(D) For each year of service purchased under division (A) or (B) of this section, the member shall pay to the system for credit to his accumulated account an amount determined by the member rate of contribution in effect at the time the military service began multiplied by the annual compensation for full-time employment during the first year of service in Ohio following termination of military service. To this amount shall be added an amount equal to compound interest at a rate established by the state highway patrol retirement board from the date active military service terminated to date of payment.

A member 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 to the member or payable in the future under any other retirement program except for retired pay for nonregular service under chapter 67 of Title 10, United States Code, or social security. At the time the credit is purchased the member shall certify on a form furnished by the 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.

"Armed AS USED IN THIS SECTION, "ARMED forces" of the United States includes army, navy, air force, marine corps, coast guard, auxiliary corps as established by congress, red cross nurse serving with the army, navy, air force, or hospital service of the United States, army nurse corps, navy nurse corps, full-time service with HAS the American red cross in a combat zone, and such other service as may be designated by congress SAME MEANING as included therein IN DIVISION (D)(1) OF SECTION 5505.16 OF THE REVISED CODE.

Effective
9/21/94