

Sec. 5505.25. (A) A member of the state highway patrol retirement system who is not receiving a 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~~ UNIFORMED SERVICES of the United States if ~~he~~ THE MEMBER is honorably discharged. Credits ~~which~~ THAT 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~~ UNIFORMED SERVICES of the United States who was captured, separated, and incarcerated by an enemy of the United States.

A member may purchase service credit 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 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~~ THE MEMBER'S 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~~ THAT WAS:

(1) 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~~ CHAPTER 1223 OF SECTION 1662 OF TITLE XVI OF THE "NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995," 108 STAT. 2998 (1994), 10 U.S.C.A. 12731 TO 12739, or social security;

(2) USED TO OBTAIN SERVICE CREDIT PURSUANT TO SECTION 5505.16 OF THE REVISED CODE. ~~At~~

AT the time the credit is purchased, the member shall certify on a form furnished by the board that ~~he~~ THE MEMBER 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.

As used in this section, "~~armed forces~~ UNIFORMED SERVICES" of the United States has the same meaning as in division (D)(~~1~~) of section 5505.16 of the Revised Code.