

Page 1062

Sec. 5505.202. (A) As used in this section:

(A)(1) "State or municipal retirement system" means the public employees retirement system, the school employees retirement system, the state teachers retirement system, and the Cincinnati retirement system.

(B)(2) "Amount received" means the amount received by a former member of a state retirement system under section 145.40, 3307.46, or 3309.42 of the Revised Code, or the amount received by a former member of the Cincinnati retirement system as a return of his contributions.

(C)(3) "Full-time service" means full-time service as defined by rule which shall be adopted by the state highway patrol retirement board.

(4) "QUALIFIED CONTRIBUTIONS" MEANS CONTRIBUTIONS TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM ATTRIBUTABLE TO FULL-TIME SERVICE.

(B) In addition to credit purchased under section 5505.201 of the Revised Code, a member's total service credit for purposes of computing the pension payable to him under section 5505.17 or 5505.18 of the Revised Code shall include service THE FOLLOWING:

(1) SERVICE credit earned as a member of a state or municipal retirement system if, IN THE CASE OF A MEMBER WHO HAS RECEIVED A RETURN OF HIS CONTRIBUTIONS FROM THE STATE OR MUNICIPAL RETIREMENT SYSTEM, the member pays into the state highway patrol retirement system to his credit in the employees savings fund an amount equal to the amount received by the member from the state or municipal retirement system that is attributable to contributions made for full-time service, plus compound interest COMPOUNDED ANNUALLY on such amount. Compound THE interest, at a rate determined by the state highway patrol retirement board, shall be computed from the date payment was made to the member by the state or municipal retirement system to the date the member makes the payment to the state highway patrol retirement system.

Service credit purchased under this section shall not be used to determine a member's eligibility for retirement under sections 5505.16 and 5505.17 of the Revised Code.

A person who is a member of the state highway patrol retirement system on the effective date of this section may not purchase credit under this section after one year after the effective date of this section. A person

who becomes a member of the state highway patrol retirement system after the effective date of this section may not purchase credit under this section after one year after the date he becomes a member of the system. For the purposes of this section, a person shall be considered to have purchased credit on the date he makes the payment required by this section. The state highway patrol retirement board shall inform members of their right to purchase credit under this section and the procedure to be followed.

At. AT the request of the state highway patrol retirement system, a THE state or municipal retirement system shall certify the beginning and ending dates of THE MEMBER'S service covered by that system of a person seeking to purchase credit under this section, the amount received by him from the THAT system, and the date ON WHICH the payment was made. The state highway patrol retirement system shall determine the extent to which the amount received BY THE MEMBER is attributable to full-time service and shall inform the member of the payment necessary to purchase credit under this section DIVISION. SUBJECT TO BOARD RULES, A MEMBER MAY CHOOSE TO PURCHASE IN ANY ONE PAYMENT ONLY PART OF THE CREDIT HE IS ELIGIBLE TO PURCHASE UNDER THIS DIVISION.

Notwithstanding section 5505.21 of the Revised Code and regardless of whether any survivor is receiving a pension under section 5505.17 of the Revised Code, if a member dies prior to retirement, or the state highway patrol retirement board determines that the service credit purchased under this section will not increase any benefit or pension payable to a member under sections 5505.16 and 5505.17, or section 5505.18 of the Revised Code, or that the amount paid to purchase such service credit is greater than the resulting increase in such pension or benefit, the board shall refund to the member or his estate the amount the member paid under this section or a portion of such amount determined by the board. If the board refunds the entire amount paid under this section, all service credit purchased under this section shall be forfeited. If the board refunds a fraction of the amount paid, the same fraction of the service credit purchased under this section shall be forfeited.

(2) FULL-TIME SERVICE CREDIT EARNED AS A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM IF THE MEMBER HAS NOT RECEIVED A RETURN OF HIS CONTRIBUTIONS TO THAT SYSTEM AND IF, AT THE MEMBER'S REQUEST, THE PUBLIC EMPLOYEES RETIREMENT SYSTEM TRANSFERS TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM AN AMOUNT EQUAL TO HIS QUALIFIED CONTRIBUTIONS WITH INTEREST COMPOUNDED ANNUALLY THEREON FOR THE PERIOD FROM THE DATE THAT THE LAST SUCH CONTRIBUTION WAS MADE TO THE DATE THE TRANSFER IS MADE. THE INTEREST SHALL BE AT THE ACTUARIAL ASSUMPTION RATE OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AT THE TIME THE TRANSFER IS MADE. THE PUBLIC EMPLOYEES RETIREMENT SYSTEM SHALL CERTIFY TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM A COPY OF THE RECORDS OF THE SERVICE AND CONTRIBUTIONS OF THE MEMBER.

145 on  
11/3/38

Effective  
4-16-93

(C) IF A MEMBER ELECTS TO RECEIVE CREDIT UNDER DIVISION (A)(2) OF SECTION 145.295 OF THE REVISED CODE FOR SERVICE FOR WHICH HE CONTRIBUTED TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SHALL TRANSFER TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AN AMOUNT EQUAL TO THE MEMBER'S ACCUMULATED CONTRIBUTIONS WITH INTEREST COMPOUNDED ANNUALLY THEREON FOR THE PERIOD FROM THE DATE THE LAST CONTRIBUTION WAS MADE TO THE DATE THE TRANSFER IS MADE. THE INTEREST SHALL BE AT THE ACTUARIAL ASSUMPTION RATE OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM AT THE TIME THE TRANSFER IS MADE. THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SHALL CERTIFY TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM A COPY OF THE RECORDS OF THE SERVICE AND CONTRIBUTIONS OF THE MEMBER.

(D) A MEMBER IS INELIGIBLE TO PURCHASE OR OTHERWISE RECEIVE CREDIT UNDER THIS SECTION FOR SERVICE THAT IS USED IN THE CALCULATION OF ANY RETIREMENT BENEFIT CURRENTLY BEING PAID OR THAT IS PAYABLE IN THE FUTURE TO THE MEMBER, OR SERVICE RENDERED CONCURRENTLY WITH ANY OTHER PERIOD FOR WHICH SERVICE CREDIT HAS ALREADY BEEN GRANTED.

SERVICE CREDIT PURCHASED UNDER THIS SECTION OR RECEIVED AS A RESULT OF A TRANSFER REQUESTED UNDER THIS SECTION SHALL NOT BE USED TO DETERMINE A MEMBER'S ELIGIBILITY FOR RETIREMENT UNDER SECTIONS 5505.16 AND 5505.17 OF THE REVISED CODE.

(E) The board may adopt rules establishing procedures for the purchase of service credit OR THE TRANSFER OF CONTRIBUTIONS under this section.

(F) IF A FORMER MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM WHO HAS WITHDRAWN HIS ACCUMULATED CONTRIBUTIONS PURSUANT TO SECTION 5505.19 OF THE REVISED CODE ELECTS TO RECEIVE CREDIT UNDER DIVISION (A)(2) OF SECTION 145.295 OF THE REVISED CODE FOR SERVICE FOR WHICH HE CONTRIBUTED TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, THE FORMER MEMBER MAY, WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS AMENDMENT, RESTORE HIS SERVICE CREDIT IN THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SOLELY FOR PURPOSES OF THAT ELECTION BY PAYING INTO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM THE AMOUNT WITHDRAWN BY HIM, WITH INTEREST COMPOUNDED ANNUALLY THEREON FROM THE DATE OF WITHDRAWAL TO THE DATE OF REPAYMENT. THE INTEREST SHALL BE AT THE ACTUARIAL ASSUMPTION RATE OF THE

STATE HIGHWAY PATROL RETIREMENT SYSTEM AT THE TIME OF REPAYMENT. UPON RECEIPT OF THE REPAYMENT, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SHALL IMMEDIATELY DO BOTH OF THE FOLLOWING:

(1) RESTORE THE FORMER MEMBER'S SERVICE CREDIT SOLELY FOR PURPOSES OF THE ELECTION UNDER DIVISION (A)(2) OF SECTION 145.295 OF THE REVISED CODE;

(2) TRANSFER TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AN AMOUNT EQUAL TO THE AMOUNT OF THE ACCUMULATED CONTRIBUTIONS THE FORMER MEMBER HAD WITHDRAWN PLUS INTEREST COMPOUNDED ANNUALLY THEREON FOR THE PERIOD FROM THE DATE THE LAST CONTRIBUTION WAS MADE TO THE DATE THE TRANSFER IS MADE. THE INTEREST SHALL BE AT THE ACTUARIAL ASSUMPTION RATE OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM AT THE TIME THE TRANSFER IS MADE. THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SHALL CERTIFY TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM A COPY OF THE RECORDS OF HIS SERVICE AND CONTRIBUTIONS.

A FORMER MEMBER WHOSE SERVICE CREDIT IS RESTORED PURSUANT TO THIS DIVISION DOES NOT THEREBY BECOME A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM OR HAVE ANY OF THE RIGHTS, PRIVILEGES, OR OBLIGATIONS OF MEMBERSHIP EXCEPT AS PROVIDED IN THIS DIVISION.