

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

(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.

(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 the former member's contributions.

(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 the member under section 5505.17 or 5505.18 of the Revised Code shall include 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 contributions from the state or municipal retirement system, the member pays into the state highway patrol retirement system to the member's 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 interest compounded annually on such amount. 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. At the request of the state highway patrol retirement system, the state or municipal retirement system shall certify the beginning and ending dates of the member's service covered by that system, the amount received by the member from 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 division. Subject to board rules, a member may choose to purchase in any one payment only part of the credit the member is eligible to purchase under this division.

(2) Full-time service credit earned as a member of the public employees retirement system if the member has not received a return of 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 the member's 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.

(C) If a member who has not received a refund of accumulated contributions elects to receive credit under section 145.295 of the Revised Code for service for which the member 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)(1) 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.

(2) Except as provided under division (D)(3) of this section, no service credit purchased under this section or received as a result of a transfer requested under this section shall be used to determine any member's eligibility for retirement under sections 5505.16 and 5505.17 of the Revised Code.

(3) Service credit obtained under this section by a member for service as a state highway patrol cadet attending training school pursuant to section 5503.05 of the Revised Code shall be used to determine the 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)(1) If a former member of the state highway patrol retirement system who has received a refund of accumulated contributions pursuant to section 5505.19 of the Revised Code elects to receive credit under section 145.295 of the Revised Code for service for which the member contributed to the state highway patrol retirement system, the former member shall repay the state highway patrol retirement system the amount refunded, with interest compounded annually thereon ~~from~~ AS FOLLOWS:

(a) FROM the date of the refund to the date of repayment TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM IN THE CASE OF A FORMER MEMBER WHO HAD NOT PURCHASED CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE AS IT EXISTED BEFORE AUGUST 25, 1995;

(b) IN THE CASE OF A FORMER MEMBER WHO HAD USED THE ENTIRE AMOUNT OF THE REFUND TO PURCHASE CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE AS IT EXISTED BEFORE

146 O.L.
Am. Sub
H. B. 308

Effective
6-5-96

146 O.L.
Am. Sub.
H.B. 308

AUGUST 25, 1995, FROM THE DATE OF THE REFUND TO THE DATE OF SUCH PURCHASE;

(c) IN THE CASE OF A FORMER MEMBER WHO HAD PURCHASED CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE, AS IT EXISTED BEFORE AUGUST 25, 1995, USING ONLY A PORTION OF THE REFUND AMOUNT, FROM THE DATE OF THE REFUND TO THE DATE OF THE PURCHASE FOR THE PORTION OF THE REFUND USED FOR THAT PURCHASE AND FROM THE DATE OF THE REFUND TO THE DATE OF REPAYMENT UNDER DIVISION (F)(1) OF THIS SECTION FOR THE PORTION OF THE REFUND NOT USED FOR THAT PURCHASE. ~~The~~

THE interest shall be at the actuarial assumption rate of the state highway patrol retirement system at the time of repayment OR PURCHASE, AS APPLICABLE. ~~Upon~~

(2) UPON receipt of the repayment, the state highway patrol retirement system shall immediately transfer to the public employees retirement system an amount equal to the amount of the former member's accumulated contributions plus interest, compounded annually thereon ~~for the period from~~ AS FOLLOWS:

(a) FROM the date the last contribution was made TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM to the date the transfer is made IN CASE OF A FORMER MEMBER WHO HAD NOT PURCHASED CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE AS IT EXISTED BEFORE AUGUST 25, 1995;

(b) IN THE CASE OF A FORMER MEMBER WHO HAD USED THE ENTIRE AMOUNT OF THE REFUND TO PURCHASE CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE AS IT EXISTED BEFORE AUGUST 25, 1995, FROM THE DATE THE LAST CONTRIBUTION WAS MADE TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM TO THE DATE OF SUCH PURCHASE;

(c) IN THE CASE OF A FORMER MEMBER WHO HAD PURCHASED CREDIT FOR THE SERVICE UNDER FORMER DIVISION (A)(1) OF SECTION 145.295 OF THE REVISED CODE, AS IT EXISTED BEFORE AUGUST 25, 1995, USING ONLY A PORTION OF THE REFUND AMOUNT, FROM THE DATE THE LAST CONTRIBUTION WAS MADE TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM TO THE DATE OF THE PURCHASE FOR THE PORTION OF THE REFUND USED FOR THAT PURCHASE AND FROM THE DATE THE LAST CONTRIBUTION WAS MADE TO THE DATE OF TRANSFER FOR THE PORTION OF THE REFUND NOT USED FOR THAT PURCHASE. ~~The~~

THE interest shall be at the actuarial assumption rate of the state highway patrol retirement system at the time ~~the~~ OF transfer is made OR AT THE TIME OF PURCHASE UNDER THAT FORMER DIVISION, AS APPLICABLE. ~~The~~

THE state highway patrol retirement system shall certify to the public employees retirement system a copy of the records of the former member's service and contributions.

A former member who makes the repayment required under 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.

SECTION 2. That existing sections 145.295, 742.379, 3309.012, 5505.15, 5505.16, 5505.17, 5505.171, 5505.174, 5505.19, and 5505.202 of the Revised Code are hereby repealed.

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.

Effective 6-5-96