

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 146.40, 2307.46, or 2300.42 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 and payments for credit purchased for service as a member of the armed forces of the United States.

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

(4) (2) "Qualified contributions" means contributions to the public employees retirement system, STATE TEACHERS RETIREMENT SYSTEM, OR SCHOOL EMPLOYEES RETIREMENT SYSTEM attributable to full-time service or purchase of credit for service in the armed forces of the United States.

(B) In addition to credit purchased under section 5505.201 of the Revised Code, a member's total service credit for (1) 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, A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM WHO IS A FORMER MEMBER OF THE PUBLIC EMPLOYEES RETIRE-

MENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, OR STATE TEACHERS RETIREMENT SYSTEM AND has received a return of contributions from the state or municipal FORMER retirement system, the member pays into the state highway patrol retirement system SHALL BE GIVEN FULL CREDIT FOR SERVICE CREDIT EARNED FOR FULL-TIME SERVICE AS A MEMBER OF THE FORMER RETIREMENT SYSTEM OR PURCHASED FOR SERVICE IN THE ARMED FORCES OF THE UNITED STATES IF, FOR EACH YEAR OF SERVICE CREDIT, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM RECEIVES THE SUM OF THE FOLLOWING:

(a) AN AMOUNT, WHICH SHALL BE PAID BY THE MEMBER 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 FORMER retirement system FOR THAT YEAR that is attributable to contributions made for full-time service and payments for credit purchased for service in the armed forces of the United States, plus interest ~~compounded annually on such amount. The interest, at a rate determined by the state highway patrol retirement board, shall be computed~~ ON THAT AMOUNT from the date payment was made to the member by the state or municipal FORMER 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;

(b) INTEREST, WHICH SHALL BE TRANSFERRED BY THE FORMER RETIREMENT SYSTEM, ON THE AMOUNT RECEIVED BY THE MEMBER THAT IS ATTRIBUTABLE TO THE YEAR OF SERVICE FROM THE LAST DAY OF THE YEAR FOR WHICH THE SERVICE CREDIT WAS EARNED OR IN WHICH THE MILITARY SERVICE CREDIT WAS PURCHASED OR OBTAINED TO THE DATE THE AMOUNT WAS PAID TO THE MEMBER;

(c) AN AMOUNT, WHICH SHALL BE TRANSFERRED BY THE FORMER RETIREMENT SYSTEM, EQUAL TO THE LESSER OF THE EMPLOYER'S QUALIFIED CONTRIBUTIONS TO THE FORMER RETIREMENT SYSTEM FOR THE YEAR OF SERVICE OR THE AMOUNT THAT WOULD HAVE BEEN CONTRIBUTED BY THE EMPLOYER FOR THE YEAR OF SERVICE HAD THE MEMBER BEEN A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, WITH INTEREST ON THAT AMOUNT FROM THE LAST DAY OF THE YEAR FOR WHICH THE SERVICE CREDIT WAS EARNED OR IN WHICH MILITARY SERVICE

CREDIT WAS PURCHASED OR OBTAINED TO THE DATE THE TRANSFER IS MADE.

ON RECEIPT OF PAYMENT FROM THE MEMBER, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM SHALL NOTIFY THE FORMER RETIREMENT SYSTEM, WHICH, ON RECEIPT OF THE NOTICE, SHALL MAKE THE TRANSFER REQUIRED BY THIS DIVISION. INTEREST SHALL BE DETERMINED IN ACCORDANCE WITH DIVISION (E) OF THIS SECTION.

(2) Full-time service credit earned as a member of the public employees retirement system or credit purchased for service in the armed forces of the United States if the member FOR PURPOSES OF COMPUTING THE PENSION PAYABLE UNDER SECTION 5505.17 OR 5505.18 OF THE REVISED CODE, A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM WHO has not received a return of contributions to that ON DEPOSIT WITH THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, OR STATE TEACHERS RETIREMENT system and SHALL BE GIVEN FULL CREDIT FOR SERVICE CREDIT EARNED FOR FULL-TIME SERVICE AS A MEMBER OF THAT RETIREMENT SYSTEM OR PURCHASED FOR SERVICE IN THE ARMED FORCES OF THE UNITED STATES if, at the member's request FOR EACH YEAR OF SERVICE, the public employees retirement system, SCHOOL EMPLOYEES RETIREMENT SYSTEM, OR STATE TEACHERS RETIREMENT SYSTEM transfers to the state highway patrol retirement system ~~an~~ THE SUM OF THE FOLLOWING:

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(a) 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;

(b) AN AMOUNT EQUAL TO THE LESSER OF THE EMPLOYER'S QUALIFIED CONTRIBUTIONS TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, OR STATE TEACHERS RETIREMENT SYSTEM OR THE AMOUNT THAT WOULD HAVE BEEN CONTRIBUTED BY THE EMPLOYER FOR THE FULL-TIME SERVICE HAD THE MEMBER BEEN A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM;

(c) INTEREST, DETERMINED IN ACCORDANCE WITH DIVISION (E) OF THIS SECTION, ON THE AMOUNTS SPECIFIED IN DIVISIONS (B)(2)(a) AND (b) OF THIS SECTION FROM THE LAST DAY OF THE YEAR FOR WHICH THE SERVICE CREDIT WAS EARNED OR IN WHICH MILITARY SERVICE CREDIT WAS PURCHASED OR OBTAINED TO THE DATE THE TRANSFER IS MADE.

ON RECEIPT OF A REQUEST FROM THE MEMBER, THE APPROPRIATE RETIREMENT SYSTEM SHALL MAKE THE TRANSFER.

(3) FOR PURPOSES OF COMPUTING THE PENSION PAYABLE UNDER SECTION 5505.17 OR 5505.18 OF THE REVISED CODE, A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM WHO HAS CONTRIBUTIONS ON DEPOSIT WITH THE CINCINNATI RETIREMENT SYSTEM SHALL BE GIVEN FULL CREDIT FOR SERVICE CREDIT EARNED FOR FULL-TIME SERVICE AS A MEMBER OF THAT RETIREMENT SYSTEM OR PURCHASED FROM THE RETIREMENT SYSTEM FOR SERVICE IN THE ARMED FORCES OF THE UNITED STATES IF, FOR EACH YEAR OF SERVICE CREDIT, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM RECEIVES THE SUM OF THE FOLLOWING:

(a) AN AMOUNT, WHICH SHALL BE PAID BY THE MEMBER TO THE MEMBER'S CREDIT IN THE EMPLOYEES SAVINGS FUND, EQUAL TO THE AMOUNT WITHDRAWN FROM THE CINCINNATI RETIREMENT SYSTEM THAT IS ATTRIBUTABLE TO THAT YEAR OF SERVICE, WITH INTEREST ON THAT AMOUNT DETERMINED IN ACCORDANCE WITH DIVISION (I) OF THIS SECTION FROM THE DATE OF WITHDRAWAL TO THE DATE OF PAYMENT;

(b) INTEREST, WHICH SHALL BE PAID EITHER BY THE MEMBER OR THE CINCINNATI RETIREMENT SYSTEM, ON THE AMOUNT WITHDRAWN FROM THE CINCINNATI RETIREMENT SYSTEM THAT IS ATTRIBUTABLE TO THE YEAR OF SERVICE FROM THE LAST DAY OF THE YEAR FOR WHICH THE SERVICE

CREDIT WAS EARNED OR IN WHICH THE MILITARY SERVICE CREDIT WAS PURCHASED OR OBTAINED TO THE DATE THE AMOUNT WAS WITHDRAWN;

(c) AN AMOUNT, WHICH SHALL BE PAID EITHER BY THE MEMBER OR THE CINCINNATI RETIREMENT SYSTEM, EQUAL TO THE LESSER OF THE AMOUNT CONTRIBUTED BY THE EMPLOYER TO THE CINCINNATI RETIREMENT SYSTEM FOR THE YEAR OF SERVICE OR THE AMOUNT THAT WOULD HAVE BEEN CONTRIBUTED BY THE EMPLOYER FOR THE YEAR OF SERVICE HAD THE MEMBER BEEN A MEMBER OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, WITH INTEREST ON THAT AMOUNT FROM THE LAST DAY OF THE YEAR FOR WHICH THE SERVICE CREDIT WAS EARNED OR IN WHICH MILITARY SERVICE WAS PURCHASED OR OBTAINED TO THE DATE THE PAYMENT IS MADE.

(C) If a member who IS NOT A CURRENT CONTRIBUTOR AND has not received a refund of accumulated contributions elects to receive credit under section 145.295, 3307.412, OR 3309.351 of the Revised Code for service for which the member contributed to the state highway patrol retirement system and credit purchased for service in the armed forces of the United States, the state highway patrol retirement system shall trans-

fer to the public employees APPROPRIATE retirement system an amount equal to the member's accumulated contributions and payments for credit purchased for service in the armed forces of the United States 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 SPECIFIED IN DIVISION (A) OF SECTION 145.295, DIVISION (A) OF SECTION 3307.412, OR DIVISION (A) OF SECTION 3309.351 OF THE REVISED CODE.

(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 credit purchased for service in the armed forces of the United States or 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.

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(4) SUBJECT TO RULES OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, A MEMBER MAY CHOOSE TO PURCHASE ONLY PART OF THE CREDIT THE MEMBER IS ELIGIBLE TO PURCHASE UNDER DIVISION (B)(1) OR (3) OF THIS SECTION.

(E) ~~The~~ AT THE REQUEST OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, SCHOOL EMPLOYEES RETIREMENT SYSTEM, STATE TEACHERS RETIREMENT SYSTEM, OR CINCINNATI RETIREMENT SYSTEM SHALL CERTIFY TO THE STATE HIGHWAY PATROL RETIREMENT SYSTEM A COPY OF THE RECORDS OF SERVICE, SALARY, AND CONTRIBUTIONS OF A MEMBER WHO SEEKS SERVICE CREDIT UNDER THIS SECTION.

INTEREST CHARGED UNDER THIS SECTION SHALL BE CALCULATED SEPARATELY FOR EACH YEAR OF SERVICE CREDIT AT THE LESSER OF THE ACTUARIAL ASSUMPTION RATE FOR THAT YEAR OF THE STATE HIGHWAY PATROL RETIREMENT SYSTEM OR OF THE RETIREMENT SYSTEM IN WHICH THE CREDIT WAS EARNED. THE INTEREST SHALL BE COMPOUNDED ANNUALLY.

THE STATE HIGHWAY PATROL RETIREMENT SYSTEM 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 145.206 of the Revised Code for service for which the member contributed to the state highway patrol retirement system and credit purchased for service in the armed forces of the United States, the former member shall repay the state highway patrol retirement system the amount refunded, with interest compounded annually thereon 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 145.206 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 145.206 of the Revised Code as it existed before 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 145.206 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 interest shall be at the actuarial assumption rate of the state highway patrol retirement system at the time of repayment or purchase, as applicable.

(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 and payments for credit for service in the armed forces of the United States, plus interest compounded annually thereon 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 145.206 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 145.206 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 145.206 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 interest shall be at the actuarial assumption rate of the state highway patrol retirement system at the time of transfer or at the time of purchase under that former division, as applicable.

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.

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