

As Introduced

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H. B. No. 877

Representative Glassburn

**Cosponsors: Representatives Brennan, Piccolantonio, Thomas, D., McNally,
Upchurch**

To amend sections 145.293, 742.251, 3307.74, and 1
3309.31 of the Revised Code regarding limits on 2
the purchase of retirement service credit based 3
on employment with the United States Government, 4
a state, or a political subdivision. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 145.293, 742.251, 3307.74, and 6
3309.31 of the Revised Code be amended to read as follows: 7

Sec. 145.293. (A) Service credit may be purchased under 8
this section for the following: 9

(1) Service rendered in another state, and service in any 10
entity operated by the United States government, that, if served 11
in a comparable position in Ohio, would be covered by the public 12
employees retirement system, Ohio police and fire pension fund, 13
state teachers retirement system, school employees retirement 14
system, or state highway patrol retirement system; 15

(2) Service for which contributions were made by the 16
member or on the member's behalf to a municipal retirement 17
system in this state, except that if the conditions specified in 18

section 145.2910 of the Revised Code are met, service credit for 19
this service may be purchased only in accordance with section 20
145.2911 of the Revised Code. 21

The number of years purchased under this section shall not 22
exceed ~~the lesser of five years or~~ the member's total 23
accumulated number of years of Ohio service. 24

(B) Credit shall be purchased under this section in 25
accordance with section 145.29 of the Revised Code. 26

(C) A member is ineligible to purchase under this section 27
credit for service under former section 145.44 of the Revised 28
Code or service that is used in the calculation of any 29
retirement benefit currently being paid or payable in the future 30
to the member under any other retirement program except social 31
security. At the time the credit is purchased the member shall 32
certify on a form furnished by the retirement board that the 33
member does and will conform to this requirement. 34

(D) Credit purchased under this section may be combined 35
pursuant to section 145.37 with credit purchased under sections 36
3307.74 and 3309.31 of the Revised Code, ~~except that not more~~ 37
~~than an aggregate total of five years' service credit purchased~~ 38
~~under this section and sections 3307.74 and 3309.31 of the~~ 39
~~Revised Code shall be used in determining retirement eligibility~~ 40
~~or calculating benefits under section 145.37 of the Revised~~ 41
Code. 42

Sec. 742.251. (A) A member of the Ohio police and fire 43
pension fund who is not a participant in the deferred retirement 44
option plan established under section 742.43 of the Revised 45
Code, in computing years of active service under division (C) of 46
section 742.37 or section 742.39 of the Revised Code, shall be 47

given full credit for full-time out-of-state or federal service, 48
other than military service, purchased under this section. A 49
member may purchase credit for such service if all of the 50
following conditions are met: 51

(1) The service was rendered as an employee of an entity 52
of state or local government, or of an entity of the United 53
States government; 54

(2) The member is eligible to retire under this chapter or 55
will become eligible to retire as a result of purchasing the 56
credit; 57

(3) The member agrees to retire within ninety days after 58
receiving notice of the amount determined under division (B) of 59
this section. 60

(B) On receipt of a request from a member eligible to 61
purchase credit under this section, the fund shall obtain from 62
its actuary certification of the amount of the additional 63
liability to the fund for each year of credit the member is 64
eligible to purchase and shall notify the member of that amount. 65
For each year of credit purchased, the member shall pay to the 66
fund an amount equal to the additional liability resulting from 67
the purchase of credit for that year. Payment shall be made in 68
full at the time of purchase. 69

~~(C) The number of years of service purchased under this 70
section shall not exceed five. 71~~

~~(D) A member may not purchase credit under this section 72
for service that is used in the calculation of any public or 73
private retirement benefit, other than federal social security 74
benefits, currently being paid or payable in the future to the 75
member. 76~~

~~(E)~~(D) If the member does not retire within ninety days 77
after purchasing credit under this section, the fund shall 78
withdraw the credit and refund the amount paid by the member. 79

Sec. 3307.74. (A) Service credit may be purchased under 80
section 3307.70 of the Revised Code by a member participating in 81
the STRS defined benefit plan for the following: 82

(1) Teaching service in a public or private school, 83
college, or university of this or another state, and for 84
teaching service in any school or entity operated primarily for 85
United States citizens. Teaching credit shall be limited to 86
service rendered in schools, colleges, or universities chartered 87
or accredited by the appropriate governmental agency. 88

(2) Public service with another state or the United States 89
government, provided that such credit shall be limited to 90
service that would have been covered by the state teachers 91
retirement system, school employees retirement system, Ohio 92
police and fire pension fund, state highway patrol retirement 93
system, or public employees retirement system if served in a 94
comparable public position in this state. 95

(3) Service for which contributions were made by the 96
member or on the member's behalf to a municipal retirement 97
system in this state, except that if the conditions specified in 98
section 3307.762 of the Revised Code are met, service credit for 99
this service may be purchased only in accordance with section 100
3307.763 of the Revised Code. 101

The number of years of service credit for service 102
described in this section shall not exceed ~~the lesser of five~~ 103
~~years or~~ the member's total accumulated number of years of Ohio 104
service. 105

(B) Credit shall be purchased under this section in 106
accordance with section 3307.70 of the Revised Code. 107

(C) With the exception of social security, a member is 108
ineligible to purchase credit for service described in this 109
section that is used in the calculation of any retirement 110
benefit that has been paid, is currently being paid, or is 111
payable in the future to such member under any other retirement 112
program. At the time the credit is purchased, the member shall 113
certify on a form furnished by the board that the member does 114
and will conform to this requirement. 115

(D) Credit for service described in this section may be 116
combined pursuant to section 3307.57 of the Revised Code with 117
credit purchased under sections 145.293 and 3309.31 of the 118
Revised Code, ~~except that not more than a total of five years'~~ 119
~~credit for service described in this section and sections~~ 120
~~145.293 and 3309.31 of the Revised Code shall be used in~~ 121
~~determining retirement eligibility or calculating benefits under~~ 122
~~section 3307.57 of the Revised Code.~~ 123

Sec. 3309.31. Service credit purchased under this section 124
shall be included in the member's total service credit. Credit 125
may be purchased for the following: 126

(A) School service in a public or private school, college, 127
or university of this or another state, and for school service 128
in any school or entity operated by or for the United States 129
government. Credit purchased under this section for school 130
service shall be limited to service rendered in schools, 131
colleges, or universities chartered or accredited by the 132
appropriate governmental agency. 133

(B) Public service with another state or the United States 134

government, provided that such credit shall be limited to 135
service that would have been covered by the state teachers 136
retirement system, the Ohio police and fire pension fund, the 137
state highway patrol retirement system, or the public employees 138
retirement system if served in a comparable public position in 139
this state. 140

(C) Service for which contributions were made by the 141
member or on the member's behalf to a municipal retirement 142
system in this state, except that if the conditions specified in 143
section 3309.74 of the Revised Code are met, service credit for 144
this service shall be purchased only in accordance with section 145
3309.75 of the Revised Code. 146

The number of years of service purchased under this 147
section shall not exceed ~~the lesser of five years or the~~ 148
member's total accumulated number of years of Ohio service. 149

For each year of service purchased under this section, a 150
member shall pay to the school employees retirement system for 151
credit to the member's accumulated account an amount equal to 152
the member's retirement contribution for full-time employment 153
for the first year of Ohio service following termination of the 154
service to be purchased. To this amount shall be added an amount 155
equal to compound interest at a rate established by the school 156
employees retirement board from the date of membership in the 157
school employees retirement system to date of payment. A member 158
may choose to purchase only part of such credit in any one 159
payment, subject to board rules. 160

A member is ineligible to purchase under this section 161
service that is used in the calculation of any retirement 162
benefit currently being paid or payable in the future to the 163
member under any other retirement program, except social 164

security. At the time the credit is purchased, the member shall 165
certify on a form furnished by the retirement board that the 166
member does and will conform to this requirement. 167

(D) Credit purchased under this section may be combined 168
pursuant to section 3309.35 of the Revised Code with credit 169
purchased under sections 145.293 and 3307.74 of the Revised 170
Code, ~~except that not more than an aggregate total of five-~~ 171
~~years' service credit purchased under this section and sections-~~ 172
~~145.293 and 3307.74 of the Revised Code shall be used in-~~ 173
~~determining retirement eligibility or calculating benefits under~~ 174
~~section 3309.35 of the Revised Code.~~ 175

(E) The retirement board shall establish a policy to 176
determine eligibility to purchase credit under this section, and 177
its decision shall be final. 178

Section 2. That existing sections 145.293, 742.251, 179
3307.74, and 3309.31 of the Revised Code are hereby repealed. 180