

As Reported by the House Finance Committee

131st General Assembly

Regular Session

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Sub. H. B. No. 305

Representative Schuring

Cosponsors: Representatives Barnes, Kuhns, Lepore-Hagan, Ramos, Sykes

A BILL

To amend sections 143.09, 145.011, and 3309.011 of
the Revised Code to include certain nonteaching
employees of The University of Akron as members
in the Public Employees Retirement System and to
retroactively extend eligibility for benefits
from the Volunteer Peace Officers' Dependents
Fund regarding a volunteer peace officer who is
totally and permanently disabled or killed in
the line of duty on or after December 22, 2015.

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

Section 1. That sections 143.09, 145.011, and 3309.011 of
the Revised Code be amended to read as follows:

Sec. 143.09. (A) A volunteer peace officer who, on or
after December 22, 2015, is totally and permanently disabled as
a result of discharging the duties of a volunteer peace officer
shall receive a benefit from the volunteer peace officers'
dependents fund of three hundred dollars per month, except that
no payment shall be made to a volunteer peace officer who is
receiving the officer's full salary during the time of the

officer's disability. 19

(B) Regardless of whether the volunteer peace officer 20
received a benefit under division (A) of this section, death 21
benefits shall be paid from the fund to the surviving spouse or 22
dependent children of a volunteer peace officer who, on or after 23
December 22, 2015, is killed in the line of duty. Death benefits 24
shall be paid as follows: 25

(1) To the surviving spouse of a volunteer peace officer 26
killed in the line of duty, an award of one thousand dollars, 27
and in addition, a benefit of three hundred dollars per month; 28

(2) To the parent, guardian, or other persons on whom a 29
child of a volunteer peace officer killed in the line of duty is 30
dependent for chief financial support, a benefit of one hundred 31
twenty-five dollars per month for each dependent child under age 32
eighteen, or under age twenty-two if attending an institution of 33
learning or training pursuant to a program designed to complete 34
in each school year the equivalent of at least two-thirds of the 35
full-time curriculum requirements of the institution. 36

(C) An individual eligible for benefits payable under this 37
section shall file a claim for benefits with the appropriate 38
volunteer peace officers' dependents fund board on a form 39
provided by the board. All of the following information shall be 40
submitted with the claim: 41

(1) In the case of a totally and permanently disabled 42
volunteer peace officer, the following: 43

(a) The name of the police or sheriff's department for 44
which the officer was a volunteer peace officer; 45

(b) The date of the injury; 46

(c) Satisfactory medical evidence that the officer is 47
totally and permanently disabled. 48

(2) In the case of a surviving spouse or a parent, 49
guardian, or other person in charge of a dependent child, the 50
following: 51

(a) The full name of the deceased volunteer peace officer; 52

(b) The name of the police or sheriff's department for 53
which the deceased officer was a volunteer peace officer; 54

(c) The name and address of the surviving spouse, as 55
applicable; 56

(d) The names, ages, and addresses of any dependent 57
children; 58

(e) Any other evidence required by the board. 59

(D) All claimants shall certify that neither the claimant 60
nor the person on whose behalf the claim is filed qualifies for 61
other benefits from any of the following based on the officer's 62
service as a volunteer peace officer: the public employees 63
retirement system, Ohio police and fire pension fund, state 64
highway patrol retirement system, Cincinnati retirement system, 65
or Ohio public safety officers death benefit fund. 66

(E) Initial claims shall be filed with the volunteer peace 67
officers' dependents fund board of the fund member in which the 68
officer was a volunteer peace officer. Thereafter, on request of 69
the claimant or the board, claims may be transferred to a board 70
near the claimant's current residence, if the boards concerned 71
agree to the transfer. 72

Sec. 145.011. In addition to the membership of the public 73
employees retirement system as prescribed in division (A) of 74

section 145.01 of the Revised Code and notwithstanding Chapter 75
3309. of the Revised Code, there shall be included in such 76
membership all of the following: 77

(A) The nonteaching employees of the Cleveland state 78
university and the northeast Ohio medical university; 79

(B) Any person who elects to transfer from the school 80
employees retirement system to the public employees retirement 81
system under section 3309.312 of the Revised Code; 82

(C) Any person who is employed full-time on or after 83
September 16, 1998, pursuant to section 3345.04 of the Revised 84
Code by the university of Akron as a state university law 85
enforcement officer; 86

(D) Any person who is employed by the university of Akron 87
in a position not covered by the state teachers retirement 88
system and to whom either of the following applies: 89

(1) The person is initially employed by the university on 90
or after the effective date of this amendment; 91

(2) The person is employed by the university on the 92
effective date of this amendment, the employment terminates 93
after that date, and the person is reemployed by the university 94
not less than twelve months after the date of termination. 95

Such employees are included in the definition of member as 96
used in Chapter 145. of the Revised Code. The universities and 97
colleges shall be subject to the obligations imposed by Chapter 98
145. of the Revised Code. 99

Sec. 3309.011. "Employee" as defined in division (B) of 100
section 3309.01 of the Revised Code, does not include any of the 101
following: 102

(A) Any person having a license issued pursuant to 103
sections 3319.22 to 3319.31 of the Revised Code and employed in 104
a public school in this state in an educational position, as 105
determined by the state board of education, under programs 106
provided for by federal acts or regulations and financed in 107
whole or in part from federal funds, but for which no licensure 108
requirements for the position can be made under the provisions 109
of such federal acts or regulations; 110

(B) Any person who participates in an alternative 111
retirement plan established under Chapter 3305. of the Revised 112
Code; 113

(C) Any person who elects to transfer from the school 114
employees retirement system to the public employees retirement 115
system under section 3309.312 of the Revised Code; 116

(D) Any person whose full-time employment by the 117
university of Akron as a state university law enforcement 118
officer pursuant to section 3345.04 of the Revised Code 119
commences on or after September 16, 1998; 120

(E) Any person described in division (B) of section 121
3309.013 of the Revised Code; 122

(F) Any person described in division (D) of section 123
145.011 of the Revised Code. 124

Section 2. That existing sections 143.09, 145.011, and 125
3309.011 of the Revised Code are hereby repealed. 126

Section 3. The amendment by this act of section 143.09 of 127
the Revised Code is not intended to change the effective date of 128
that section as enacted by Sub. S.B. 11 of the 131st General 129
Assembly. 130