

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 310**

**Representative Jones**

**Cosponsors: Representatives Carruthers, Hillyer, Gross, Johnson, Miller, J.**

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**A BILL**

To amend sections 3307.70, 3307.751, and 3307.752 1  
of the Revised Code regarding purchases of 2  
military service credit by State Teachers 3  
Retirement System members. 4

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

**Section 1.** That sections 3307.70, 3307.751, and 3307.752 5  
of the Revised Code be amended to read as follows: 6

**Sec. 3307.70.** (A) A member of the state teachers 7  
retirement system who elects to purchase service credit 8  
described in section 3307.73, 3307.74, 3307.751, 3307.76, 9  
3307.771, or 3307.78 of the Revised Code shall do both of the 10  
following: 11

(1) Submit an application to the state teachers retirement 12  
board in a manner or form approved by the board; 13

(2) (a) If the purchase will be completed not later than 14  
December 31, 2013, for each year, or portion of a year, of 15  
credit purchased, pay to the teachers' savings fund the amount 16  
specified by former section 3307.73, 3307.74, 3307.751, 3307.76, 17  
3307.771, or 3307.78 of the Revised Code as the appropriate 18

section existed immediately before January 7, 2013. 19

(b) If the purchase will not be completed until on or 20  
after January 1, 2014, for each year, or portion of a year, of 21  
credit purchased, pay to the teachers' savings fund an amount 22  
specified by the board that is equal to one hundred per cent of 23  
the actuarial liability resulting from the purchase of that year 24  
or portion of a year of credit as determined by an actuary 25  
employed by the board. 26

(c) If, on January 7, 2013, the purchase is being made 27  
through a payroll deduction plan under section 3307.701 of the 28  
Revised Code and at least one deduction has been made, pay to 29  
the teachers' savings fund the amount specified by former 30  
section 3307.73, 3307.74, 3307.751, 3307.76, 3307.771, or 31  
3307.78 of the Revised Code as the appropriate section existed 32  
immediately before January 7, 2013. 33

~~(B)(1)~~ (B) Division (A)(2)(b) of this section does not 34  
apply to a member purchasing service credit under section 35  
3307.751 of the Revised Code. 36

(C)(1) A purchase shall be considered completed for 37  
purposes of division (A)(2)(a) of this section only if the 38  
member's application is received by the retirement system as 39  
completed not later than December 31, 2013, and all payments are 40  
received by the retirement system not later than June 30, 2014. 41

(2) A member purchasing credit through a payroll deduction 42  
plan under division (A)(2)(c) of this section may pay in a 43  
single payment the balance of the cost of the credit. 44

~~(C)~~ (D) Subject to board rules, a member may choose to 45  
purchase only part of any eligible service credit in any one 46  
payment. 47

~~(D)~~ (E) The board shall adopt rules establishing criteria 48  
for determining eligibility for purchases of service credit and 49  
procedures for purchases of credit under this section. 50

Any determination of the board under this section shall be 51  
final. 52

~~(E)~~ (F) Service credit purchased under this section shall 53  
be included in the member's total service credit. 54

If a member dies or withdraws from service, any payment 55  
made by the member under this section shall be considered as 56  
accumulated contributions of the member. 57

**Sec. 3307.751.** (A) (1) A member participating in the STRS 58  
defined benefit plan may purchase service credit under section 59  
3307.70 of the Revised Code in an amount described in division 60  
(E) of this section for each year or portion of a year of 61  
service incurred by reason of having been on active duty as a 62  
member of the armed forces of the United States, as defined in 63  
section 3307.75 of the Revised Code. 64

(2) As used in division (A) (2) of this section, "reserves" 65  
means a reserve component of any of the armed forces of the 66  
United States enumerated in division (A) (1) of section 3307.75 67  
of the Revised Code. 68

On presentation of documentation of the service and 69  
subject to state teachers retirement board rules, a member 70  
participating in the STRS defined benefit plan may purchase 71  
service credit under section 3307.70 of the Revised Code in an 72  
amount described in division (E) of this section for each year 73  
or portion of a year of service incurred by reason of having 74  
been on active duty as a member of the Ohio national guard or 75  
reserves for which the member is not eligible to purchase credit 76

under division (A) (1) of this section. For purposes of division 77  
(A) (2) of this section, active duty in the reserves or the Ohio 78  
national guard includes assembly for drill and instruction; 79  
training at encampments, maneuvers, outdoor target practice, or 80  
other exercises; and any training or duty in this state ordered 81  
by the governor. 82

(3) Credit shall not be granted for any period of duty 83  
during which the member was contributing to the retirement 84  
system. 85

The credit may be purchased at any time prior to the 86  
effective date of a benefit. The number of years purchased under 87  
this division shall not exceed five. 88

(B) For the purposes of this division, "prisoner of war" 89  
means any regularly appointed, enrolled, enlisted, or inducted 90  
member of the armed forces of the United States who was 91  
captured, separated, and incarcerated by an enemy of the United 92  
States. 93

A member participating in the STRS defined benefit plan 94  
may purchase service credit under section 3307.70 of the Revised 95  
Code in an amount described in division (E) of this section for 96  
each year of service such member was a prisoner of war. The 97  
number of years purchased shall not exceed five. Service credit 98  
may be purchased for the same years of service used to purchase 99  
service credit described in division (A) of this section. 100

(C) The total number of years described in this section 101  
that may be purchased shall not exceed the member's total 102  
accumulated number of years of Ohio service. 103

(D) The retirement system shall calculate the number of 104  
years or portions of a year of credit the member is eligible to 105

purchase under division (A) (2) of this section by dividing the 106  
number of days actually served by three hundred sixty-five. 107

A member of the state teachers retirement system is 108  
ineligible to purchase service credit described in this section 109  
for any year of military service that was: 110

(1) Used in the calculation of any retirement benefit 111  
currently being paid to such member or payable in the future 112  
under any other retirement program, except for retired pay for 113  
non-regular service under Chapter 1223 of Section 1662 of Title 114  
XVI of the "National Defense Authorization Act for Fiscal Year 115  
1995," 108 Stat. 2998 (1994), 10 U.S.C.A. 12731 to 12739, or 116  
social security; 117

(2) Used to obtain service credit pursuant to section 118  
3307.75 or 3307.752 of the Revised Code. 119

At the time the credit is purchased, the member shall 120  
certify on a form furnished by the board that the member does 121  
and will conform to this requirement. 122

~~(E)~~ (E) (1) The board shall calculate the cost for each 123  
year of service credit a member elects to purchase under this 124  
section separately. For each year or portion of a year of 125  
service purchased under this section, the member, subject to 126  
board rules, shall pay to the system for credit to the member's 127  
accumulated account an amount equal to the sum of the amount of 128  
contributions that would have been paid pursuant to section 129  
3307.26 of the Revised Code plus the amount of contributions 130  
that would have been paid by the member's employer pursuant to 131  
section 3307.28 of the Revised Code as if the member had been in 132  
active service as a teacher during the year or portion of a year 133  
of military service for which the member is purchasing credit. 134

(2) The board shall not require the member to pay any 135  
amount to the system in addition to the amount required under 136  
division (E) (1) of this section to purchase the service credit, 137  
including interest or an amount equal to any percentage of the 138  
actuarial liability resulting from the purchase. 139

(F) Credit described in this section may be combined 140  
pursuant to section 3307.57 of the Revised Code with credit for 141  
military service purchased under sections 145.301, 742.52, 142  
3309.021, and 5505.25 of the Revised Code or military service 143  
credit purchased in the Cincinnati retirement system, except 144  
that not more than a total of five years of credit described in 145  
division (A) of this section, division (B) of section 145.301, 146  
division (A) of section 742.52, division (A) of section 147  
3309.021, and division (A) of section 5505.25 of the Revised 148  
Code and not more than a total of five years of credit described 149  
in division (B) of this section, division (C) of section 150  
145.301, division (B) of section 742.52, division (B) of section 151  
3309.021 and division (B) of section 5505.25 of the Revised Code 152  
or military service credit purchased in the Cincinnati 153  
retirement system shall be used in determining retirement 154  
eligibility or calculating benefits under section 3307.57 of the 155  
Revised Code. 156

**Sec. 3307.752.** (A) As used in this section: 157

(1) "Service in the uniformed services" means the 158  
performance of duty on a voluntary or involuntary basis in a 159  
uniformed service under competent authority and includes active 160  
duty, active duty for training, initial active duty for 161  
training, inactive duty training, full-time national guard duty, 162  
and a period for which a person is absent from a position of 163  
employment for the purpose of an examination to determine the 164

fitness of the person to perform any such duty. 165

(2) "Uniformed services" means the army, navy, air force, 166  
marine corps, coast guard, or any reserve components of such 167  
services; national guard; the commissioned corps of the United 168  
States public health service; service as a red cross nurse with 169  
the army, navy, air force, or hospital service of the United 170  
States, army nurse corps, navy nurse corps, or serving full-time 171  
with the American red cross in a combat zone; and any other 172  
category of persons designated by the president in time of war 173  
or emergency. 174

(B) On the re-employment of a member participating in the 175  
STRS defined benefit plan as a teacher by the same public 176  
employer that employed the member prior to the member's service 177  
in the uniformed services, the member may apply to the state 178  
teachers retirement system on a form provided by the system to 179  
purchase service credit for service in the uniformed services 180  
that shall be considered the equivalent of Ohio service credit. 181  
On receipt of the application, the system shall request from the 182  
employer that employed the member as a teacher prior to the 183  
military service a certification that the member was employed by 184  
the employer prior to, and returned to employment with the 185  
employer within three months of honorable discharge or release 186  
from, service in the uniformed services. If the employer can so 187  
certify, it shall do so and shall pay to the system the 188  
employer's contribution required by this section. The service 189  
credit shall be granted the member if all of the following 190  
requirements are met: 191

(1) The member was a member of and maintained membership 192  
in the state teachers retirement system throughout service in 193  
the uniformed services; 194

(2) The member was out of active service as a teacher by 195  
reason of service in the uniformed services; 196

(3) The member was honorably discharged or released from 197  
service in the uniformed services; 198

(4) The member pays contributions to the system in 199  
accordance with this section. 200

(C) Credit may be purchased pursuant to this section at 201  
any time prior to receipt of a benefit. The member may choose to 202  
purchase only part of the credit in any one payment, subject to 203  
board rules. The system shall grant service credit under this 204  
section, not to exceed five years, for service in the uniformed 205  
services for which contributions have been received. 206

(D) For service purchased under this section, the member 207  
and the member's employer, subject to board rules, shall pay to 208  
the system for credit to the member's accumulated account an 209  
amount equal to the contributions that would have been paid 210  
pursuant to sections 3307.26 and 3307.28 of the Revised Code if 211  
the member had not been out of active service as a teacher by 212  
reason of service in the uniformed services. 213

~~If a member pays all or any portion of the contributions 214~~  
~~required by section 3307.26 of the Revised Code later than the 215~~  
~~lesser of five years or a period that is three times the 216~~  
~~member's period of service in the uniformed services beginning 217~~  
~~from the later of the member's date of re-employment as a 218~~  
~~teacher or October 29, 1996, an amount equal to compound 219~~  
~~interest at a rate established by the board from the later of 220~~  
~~the member's date of re-employment as a teacher or October 29, 221~~  
~~1996, to the date of payment shall be added to the remaining 222~~  
~~amount to be paid by the member to purchase service credit under 223~~



~~this section~~The board shall not require the member to pay 224  
interest on the amount paid to the system to purchase service 225  
credit under this section. 226

(E) This section does not cancel any military service 227  
credit or service in the uniformed services earned or granted 228  
under this chapter prior to October 29, 1996. 229

(F) If a member purchased service credit under section 230  
3307.751 of the Revised Code prior to October 29, 1996, is not 231  
receiving a benefit, and would have been eligible to obtain 232  
service credit pursuant to this section had it been in effect at 233  
the time of purchase, the system shall refund the amounts paid 234  
by the member for the purchase if both of the following 235  
requirements are met: 236

(1) The member makes a written request for a refund on a 237  
form provided by the system; 238

(2) The member pays to the system the contributions 239  
required by this section. 240

(G) If the member meets the requirements of division (F) 241  
of this section, the employer shall pay to the system the 242  
employer's contributions required by this section. 243

**Section 2.** That existing sections 3307.70, 3307.751, and 244  
3307.752 of the Revised Code are hereby repealed. 245