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Jordan, Cates**

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A B I L L

To amend sections 145.301, 3307.751, 3309.021, 1
3313.16, and 5505.25 of the Revised Code to permit 2
a member of the Public Employees Retirement 3
System, State Teachers Retirement System, School 4
Employees Retirement System, or State Highway 5
Patrol Retirement System to purchase military 6
service credit for duty in the Ohio National Guard 7
or reserves and to authorize school boards to 8
grant high school diplomas to women who left high 9
school to support their families or the war effort 10
during World War II, the Korean Conflict, or the 11
Vietnam Conflict. 12

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

Section 1. That sections 145.301, 3307.751, 3309.021, 13
3313.16, and 5505.25 of the Revised Code be amended to read as 14
follows: 15

Sec. 145.301. (A) As used in this section: 16

(1) "Prisoner of war" means any regularly appointed, 17
enrolled, enlisted, or inducted member of the armed forces of the 18
United States, reserves, or Ohio national guard who was captured, 19
separated, and incarcerated by an enemy of the United States. 20

(2) "Reserves" means personnel of the reserve components of 21
any of the armed forces of the United States enumerated in 22
division (A)(1)(a) of section 145.30 of the Revised Code. 23

(B)(1) A member may purchase service credit that shall be 24
considered as the equivalent of Ohio service for each year or 25
portion of a year of service incurred by reason of having been on 26
active duty as a member of the armed forces of the United States, 27
as defined in section 145.30 of the Revised Code. ~~The~~ 28

(2) On presentation of documentation of the service and 29
subject to public employees retirement board rules, a member may 30
purchase service credit for each year or portion of a year of 31
service incurred by reason of having been on active duty as a 32
member of the reserves or the Ohio national guard for which the 33
member is not eligible to purchase credit under division (B)(1) of 34
this section. Any credit purchased under this section shall be 35
considered as the equivalent of Ohio service credit. For purposes 36
of division (B)(2) of this section, active duty in the reserves or 37
the Ohio national guard includes assembly for drill and 38
instruction; training at encampments, maneuvers, outdoor target 39
practice, or other exercises; and any training or duty in this 40
state ordered by the governor. 41

(3) Credit shall not be granted for any period of duty during 42

which the member was contributing to the retirement system.

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The credit may be purchased at any time prior to receipt of a retirement allowance. The number of years purchased shall not exceed five. The member may choose to purchase only part of such credit in any one payment, subject to public employees retirement board rules.

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

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(C) A member may purchase service credit that shall be considered as the equivalent of Ohio service for each year of service such member was a prisoner of war. The number of years purchased under this division shall not exceed five. Service credit may be purchased under this division for the same years of service used to purchase service credit under division ~~(A)~~(B) of this section. The member may choose to purchase only part of such credit in any one payment, subject to board rules.

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~~(C)~~(D) The total number of years purchased under this section shall not exceed the member's total accumulated number of years of Ohio service.

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~~(D)~~(E)(1) For each year or portion of a year of service purchased under division ~~(A)~~(B)(1) or ~~(B)~~(C) of this section, the member shall pay to the public employees retirement system for credit to the member's accumulated account an amount specified by the retirement board that shall be not less than fifty per cent of the additional liability resulting from the purchase of that year or portion of a year of service as determined by an actuary employed by the board.

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~~(E)~~(2) For each year or portion of a year of service credit purchased under division (B)(2) of this section, the member shall

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pay to the public employees retirement system for credit to the 74
member's accumulated account an amount equal to one hundred per 75
cent of the additional liability resulting from the purchase of 76
that year or portion of a year of service as determined by an 77
actuary employed by the board. 78

The retirement system shall calculate the number of years or 79
portion of a year of credit the member is eligible to purchase 80
under division (B)(2) of this section by dividing the number of 81
days actually served by three hundred sixty-five. 82

(F) A member is ineligible to purchase service credit under 83
this section for any year of military service that was: 84

(1) Used in the calculation of any retirement benefit 85
currently being paid to the member or payable in the future under 86
any other retirement program, except social security, or for 87
retired pay for nonregular service under Chapter 1223 of Section 88
1662 of Title XVI of the "National Defense Authorization Act for 89
Fiscal Year 1995," 108 Stat. 2998 (1994), 10 U.S.C.A. 12731 to 90
12739; 91

(2) Used to obtain service credit pursuant to section 145.30 92
or 145.302 of the Revised Code. 93

At the time the credit is purchased, the member shall certify 94
on a form furnished by the retirement board that the member does 95
and will conform to this requirement. 96

~~(F)~~(G) A member who, on March 17, 2000, is purchasing service 97
credit under this section by making installment payments to the 98
system or by a payroll deduction plan authorized under section 99
145.294 of the Revised Code may elect, on a form provided by the 100
board, to have a portion of the cost of the service credit 101
recalculated under division ~~(D)~~(E) of this section as amended by 102
House Bill 186 of the 123rd general assembly. The recalculation 103
shall apply only to the amount still owed by the member as of the 104

date the election is filed with the board. 105

For each member who makes an election, the board shall do all 106
of the following: 107

(1) Determine the amount of the total cost of the service 108
credit still owed by the member as of the date the election is 109
filed with the board and the number of years or portion of a year 110
of service credit attributable to that amount; 111

(2) Recalculate under division ~~(D)~~(E) of this section the 112
cost of the service credit described in division ~~(F)~~(G)(1) of this 113
section; 114

(3) Notify the member of the recalculated amount. 115

If the recalculated amount is less than the amount still owed 116
by the member as of the date the election is filed, the 117
recalculated amount shall be the amount owed by the member. 118

~~(G)~~(H) Credit purchased under this section may be combined 119
pursuant to section 145.37 with credit for military service 120
purchased under sections 3307.751 and 3309.021, except that not 121
more than an aggregate total of five years of credit purchased 122
under division ~~(A)~~(B) of this section, division (A) of section 123
3307.751, and division (A) of section 3309.021, and not more than 124
an aggregate total of five years of credit purchased under 125
division ~~(B)~~(C) of this section, division (B) of section 3307.751, 126
and division (B) of section 3309.021 shall be used in determining 127
retirement eligibility or calculating benefits under section 128
145.37 of the Revised Code. 129

Sec. 3307.751. (A)(1) A member participating in the plan 130
described in sections 3307.50 to 3307.79 of the Revised Code may 131
purchase service credit that shall be considered as the equivalent 132
of Ohio service for each year or portion of a year of service 133
incurred by reason of having been on active duty as a member of 134

the armed forces of the United States, as defined in section 135
3307.75 of the Revised Code. The 136

(2) As used in division (A)(2) of this section, "reserves" 137
means a reserve component of any of the armed forces of the United 138
States enumerated in division (A)(1) of section 3307.75 of the 139
Revised Code. 140

On presentation of documentation of the service and subject 141
to state teachers retirement board rules, a member participating 142
in the plan described in sections 3307.50 to 3307.79 of the 143
Revised Code may purchase service credit that shall be considered 144
as the equivalent of Ohio service for each year or portion of a 145
year of service incurred by reason of having been on active duty 146
as a member of the Ohio national guard or reserves for which the 147
member is not eligible to purchase credit under division (A)(1) of 148
this section. For purposes of division (A)(2) of this section, 149
active duty in the reserves or the Ohio national guard includes 150
assembly for drill and instruction; training at encampments, 151
maneuvers, outdoor target practice, or other exercises; and any 152
training or duty in this state ordered by the governor. 153

(3) Credit shall not be granted for any period of duty during 154
which the member was contributing to the retirement system. 155

The credit may be purchased at any time prior to the 156
effective date of a benefit. The number of years purchased under 157
this division shall not exceed five. 158

(B) For the purposes of this division, "prisoner of war" 159
means any regularly appointed, enrolled, enlisted, or inducted 160
member of the armed forces of the United States who was captured, 161
separated, and incarcerated by an enemy of the United States. 162

A member participating in the plan described in sections 163
3307.50 to 3307.79 of the Revised Code may purchase service credit 164
that shall be considered as the equivalent of Ohio service for 165

each year of service such member was a prisoner of war. The number 166
of years purchased under this division shall not exceed five. 167
Service credit may be purchased under this division for the same 168
years of service used to purchase service credit under division 169
(A) of this section. 170

(C) The total number of years purchased under this section 171
shall not exceed the member's total accumulated number of years of 172
Ohio service. 173

(D)(1) Except as otherwise provided in division (D)(2) or (3) 174
of this section, for each year or portion of a year of service 175
purchased under division (A) or (B) of this section, the member 176
shall pay to the state teachers retirement system for credit to 177
the member's accumulated account an amount determined by the 178
member rate of contribution in effect at the time the military 179
service began multiplied by the member's annual compensation for 180
full-time employment during the first year of service in Ohio 181
following termination of military service. If, however, a limit on 182
maximum salary or maximum contribution was in effect at the time 183
the military service began, the limit shall be applied to the 184
salary received during the first year of service in Ohio to 185
calculate the amount of payment. To this amount shall be added an 186
amount equal to compound interest at a rate established by the 187
state teachers retirement board from the date active military 188
service terminated to date of payment. 189

(2) For each year of service purchased under division (A) (1) 190
or (B) of this section for military service that commenced on or 191
after July 1, 1989, and, without regard to when the military 192
service commenced, for each year of service purchased under 193
division (A) or (B) of this section by a member who first 194
established membership in the retirement system on or after July 195
1, 1989, the member shall pay to the retirement system for credit 196
to the member's individual account an amount specified by the 197

state teachers retirement board that shall be not less than fifty 198
per cent of the additional liability resulting from the purchase 199
of that year of service as determined by an actuary employed by 200
the board. 201

(3) For each year or portion of a year of service in the 202
reserves or Ohio national guard purchased under division (A)(2) of 203
this section, the member shall pay to the retirement system for 204
credit to the member's individual account an amount equal to one 205
hundred per cent of the additional liability resulting from the 206
purchase of that year of service as determined by an actuary 207
employed by the board. The retirement system shall calculate the 208
number of years or portions of a year of credit the member is 209
eligible to purchase under division (A)(2) of this section by 210
dividing the number of days actually served by three hundred 211
sixty-five. 212

(4) A member may choose to purchase only part of the credit 213
the member is eligible to purchase under this section in any one 214
payment, subject to board rules. 215

(E) A member of the state teachers retirement system is 216
ineligible to purchase service credit under this section for any 217
year of military service that was: 218

(1) Used in the calculation of any retirement benefit 219
currently being paid to such member or payable in the future under 220
any other retirement program, except for retired pay for 221
non-regular service under Chapter 1223 of Section 1662 of Title 222
XVI of the "National Defense Authorization Act for Fiscal Year 223
1995," 108 Stat. 2998 (1994), 10 U.S.C.A. 12731 to 12739, or 224
social security; 225

(2) Used to obtain service credit pursuant to section 3307.75 226
or 3307.752 of the Revised Code. 227

At the time the credit is purchased, the member shall certify 228

on a form furnished by the board that the member does and will 229
conform to this requirement. 230

(F) Credit purchased under this section may be combined 231
pursuant to section 3307.57 of the Revised Code with credit for 232
military service purchased under sections 145.301 and 3309.021 of 233
the Revised Code, except that not more than a total of five years 234
of credit purchased under division (A) of this section, division 235
~~(A)~~(B) of section 145.301, and division (A) of section 3309.021 236
and not more than a total of five years of credit purchased under 237
division (B) of this section, division ~~(B)~~(C) of section 145.301, 238
and division (B) of section 3309.021 of the Revised Code shall be 239
used in determining retirement eligibility or calculating benefits 240
under section 3307.57 of the Revised Code. 241

Sec. 3309.021. (A)(1) A member may purchase service credit 242
that shall be considered as the equivalent of Ohio service for 243
each year or portion of a year of service incurred by reason of 244
having been on active duty as a member of the armed forces of the 245
United States, as defined in section 3309.02 of the Revised Code. 246
~~All~~ 247

(2) As used in division (A)(2) of this section, "reserves" 248
means a reserve component of any of the armed forces of the United 249
States enumerated in division (A)(1) of section 3309.02 of the 250
Revised Code. 251

On presentation of documentation of the service and subject 252
to school employees retirement board rules, a member may purchase 253
service credit that shall be considered as the equivalent of Ohio 254
service for each year or portion of a year of service incurred by 255
reason of having been on active duty as a member of the Ohio 256
national guard or reserves for which the member is not eligible to 257
purchase credit under division (A)(1) of this section. For 258
purposes of division (A)(2) of this section, active duty in the 259

reserves or the Ohio national guard includes assembly for drill 260
and instruction; training at encampments, maneuvers, outdoor 261
target practice, or other exercises; and any training or duty in 262
this state ordered by the governor. 263

(3) Credit shall not be granted for any period of duty during 264
which the member was contributing to the retirement system. 265

All or part of the credit may be purchased at any time prior 266
to receipt of a retirement allowance. The number of years 267
purchased under this division shall not exceed five. 268

(B) For the purposes of this division, "prisoner of war" 269
means any regularly appointed, enrolled, enlisted, or inducted 270
member of the armed forces of the United States who was captured, 271
separated, and incarcerated by an enemy of the United States. 272

A member may purchase service credit that shall be considered 273
as the equivalent of Ohio service for each year of service such 274
member was a prisoner of war. The number of years purchased under 275
this division shall not exceed five. Service credit may be 276
purchased under this division for the same years of service used 277
to purchase service credit under division (A) of this section. The 278
member may choose to purchase only part of such credit in any one 279
payment, subject to board rules. 280

(C) The total number of years purchased under this section 281
shall not exceed the member's total accumulated number of years of 282
Ohio service. 283

(D)(1) For each year or portion of a year of service 284
purchased under division (A)(1) or (B) of this section, the member 285
shall pay to the school employees retirement system for credit to 286
the member's accumulated account an amount determined by the 287
member rate of contribution in effect at the time the military 288
service began multiplied by the annual compensation for full-time 289
employment during the first year of service covered by the school 290

employees retirement system, public employees retirement system, 291
or state teachers retirement system following termination of 292
military service. If, however, a limit on maximum salary or 293
maximum contribution was in effect at the time the military 294
service began, the limit shall be applied to the salary received 295
during the first year of service in Ohio to calculate the amount 296
of payment. To this amount shall be added an amount equal to 297
compound interest at a rate established by the school employees 298
retirement board from the date of the member's first service 299
covered by the school employees retirement system, public 300
employees retirement system, or state teachers retirement system 301
following termination of the military service to date of payment. 302

(2) For each year or portion of a year of service in the 303
reserves or Ohio national guard purchased under division (A)(2) of 304
this section, the member shall pay to the retirement system for 305
credit to the member's individual account an amount equal to one 306
hundred per cent of the additional liability resulting from the 307
purchase of that year of service as determined by an actuary 308
employed by the board. The retirement system shall calculate the 309
number of years or portions of a year of credit the member is 310
eligible to purchase under division (A)(2) of this section by 311
dividing the number of days actually served by three hundred 312
sixty-five. 313

(E) A member of the school employees retirement system is 314
ineligible to purchase service credit under this section for any 315
year of military service that was: 316

(1) Used in the calculation of any retirement benefit 317
currently being paid to the member or payable in the future under 318
any other retirement program, except for retired pay for 319
nonregular service under Chapter 1223 of Section 1662 of Title XVI 320
of the "National Defense Authorization Act for Fiscal Year 1995," 321
108 Stat. 2998 (1994), 10 U.S.C.A. 12731 to 12739, or social 322

security; 323

(2) Used to obtain service credit pursuant to section 3309.02 324
or 3309.022 of the Revised Code. 325

At the time such credit is purchased, the member shall 326
certify on a form furnished by the retirement board that the 327
member does and will conform to this requirement. 328

(F) Credit purchased under this section may be combined 329
pursuant to section 3309.35 of the Revised Code with credit for 330
military service purchased under sections 145.301 and 3307.751 of 331
the Revised Code, except that not more than an aggregate total of 332
five years of credit purchased under division (A) of this section, 333
division ~~(A)~~(B) of section 145.301, and division (A) of section 334
3307.751 of the Revised Code, and not more than an aggregate total 335
of five years of credit purchased under division (B) of this 336
section, division ~~(B)~~(C) of section 145.301, and division (B) of 337
section 3307.751 of the Revised Code shall be used in determining 338
retirement eligibility or calculating benefits under section 339
3309.35 of the Revised Code. 340

Sec. 3313.616. (A)~~(1)~~ Notwithstanding the requirements of 341
sections 3313.61, 3313.611, and 3313.612 of the Revised Code, the 342
board of education of any city, exempted village, or local school 343
district or the governing authority of any chartered nonpublic 344
school may grant a high school diploma to any veteran of World War 345
II, the Korean conflict, or the Vietnam conflict who is a resident 346
of this state or who was previously enrolled in any high school in 347
this state if all of the following apply: 348

~~(a)~~(1) The veteran either: 349

~~(i)~~(a) Left a public or nonpublic school located in any state 350
prior to graduation in order to serve in the armed forces of the 351
United States; 352

~~(ii)~~(b) Left a public or nonpublic school located in any 353
state prior to graduation due to family circumstances and 354
subsequently entered the armed forces of the United States. 355

~~(b)~~(2) The veteran received an honorable discharge from the 356
armed forces of the United States. 357

~~(e)~~(3) The veteran has not been granted a diploma as provided 358
in section 3313.61 or 3313.612 of the Revised Code, a diploma of 359
adult education as provided in section 3313.611 of the Revised 360
Code, or a diploma under this section. 361

~~(2)~~(B) Notwithstanding the requirements of sections 3313.61, 362
3313.611, and 3313.612 of the Revised Code, the board of education 363
of any city, exempted village, or local school district or the 364
governing authority of any chartered nonpublic school may grant a 365
high school diploma to any woman who left high school during World 366
War II, the Korean conflict, or the Vietnam conflict and who is a 367
resident of this state or was previously enrolled in any high 368
school in this state, if both of the following apply: 369

(1) The woman either: 370

(a) Left a public or nonpublic school located in any state 371
prior to graduation in order to join the workforce to support her 372
family or to join the war effort; 373

(b) Left a public or nonpublic school located in any state 374
prior to graduation due to family circumstances and subsequently 375
joined the workforce or war effort. 376

(2) The woman has not been granted a diploma as provided in 377
section 3313.61 or 3313.612 of the Revised Code, a diploma of 378
adult education as provided in section 3313.611 of the Revised 379
Code, or a diploma under this section. 380

(C) If a ~~veteran~~ person who would otherwise qualify for a 381
diploma under this section is deceased, the board of education of 382

any school district or the governing authority of any chartered 383
nonpublic school may award such diploma to the ~~veteran~~ person 384
posthumously and may present that diploma to a living relative of 385
the ~~veteran~~ person. 386

~~(B)~~(D) The governor's office of veterans' affairs, in 387
accordance with section 111.15 of the Revised Code, and with the 388
advice and consent of the veterans advisory committee established 389
under division (K) of section 5902.02 of the Revised Code, shall 390
develop and adopt rules to implement this section. Such rules 391
shall include, but not be limited to, rules establishing 392
procedures for application and verification of eligible ~~veterans~~ 393
persons for a diploma under this section. 394

Sec. 5505.25. (A)(1) A member of the state highway patrol 395
retirement system who is not receiving a pension from the system 396
may purchase service credit for each year or portion of a year of 397
service incurred by reason of having been on active duty as a 398
member of the uniformed services of the United States if the 399
member is honorably discharged. ~~Credits~~ 400

(2) On presentation of documentation of the service and 401
subject to state highway patrol retirement board rules, a member 402
who is not receiving a pension from the system may purchase 403
service credit for each year or portion of a year of service 404
incurred by reason of having been on active duty as a member of 405
the Ohio national guard or a reserve component of any of the armed 406
forces for which the member is not eligible to purchase credit 407
under division (A)(1) of this section. 408

For purposes of division (A)(2) of this section, active duty 409
in the reserves or the Ohio national guard includes assembly for 410
drill and instruction; training at encampments, maneuvers, outdoor 411
target practice, or other exercises; and any training or duty in 412
this state ordered by the governor. 413

(3) Credit shall not be granted for any period of duty during 414
which the member was contributing to the retirement system. 415

Credits that are not authorized under division (D) of section 416
5505.16 of the Revised Code may be purchased at any time. The 417
number of years purchased under this division shall not exceed 418
five. 419

(B) For the purposes of this division, "prisoner of war" 420
means any regularly appointed, enrolled, enlisted, or inducted 421
member of the uniformed services of the United States who was 422
captured, separated, and incarcerated by an enemy of the United 423
States. 424

A member may purchase service credit for each year of service 425
such member was a prisoner of war. The number of years purchased 426
under this division shall not exceed five. Service credit may be 427
purchased under this division for the same years of service used 428
to purchase service credit under division (A) of this section. The 429
member may choose to purchase only part of such credit in any one 430
payment, subject to board rules. 431

(C) The total number of years purchased under this section 432
shall not exceed the member's total accumulated number of years in 433
the service of the state highway patrol. 434

Credit purchased by a member under this section shall be used 435
to determine the member's eligibility for retirement under 436
sections 5505.16 and 5505.17 of the Revised Code. 437

(D)(1) For each year or portion of a year of service 438
purchased under division (A)(1) or (B) of this section, the member 439
shall pay to the system for credit to the member's accumulated 440
account an amount determined by the member rate of contribution in 441
effect at the time the military service began multiplied by the 442
annual compensation for full-time employment during the first year 443
of service in Ohio following termination of military service. To 444

this amount shall be added an amount equal to compound interest at 445
a rate established by the state highway patrol retirement board 446
from the date active military service terminated to date of 447
payment. 448

A (2) For each year or portion of a year of service in the 449
reserves or Ohio national guard purchased under division (A)(2) of 450
this section, the member shall pay to the retirement system for 451
credit to the member's individual account an amount equal to one 452
hundred per cent of the additional liability resulting from the 453
purchase of that year of service as determined by an actuary 454
employed by the board. The retirement system shall calculate the 455
number of years or portions of a year of credit the member is 456
eligible to purchase under division (A)(2) of this section by 457
dividing the number of days actually served by three hundred 458
sixty-five. 459

(E) A member is ineligible to purchase service credit under 460
this section for any year of military service that was: 461

(1) Used in the calculation of any retirement benefit 462
currently being paid to the member or payable in the future under 463
any other retirement program, except for retired pay for 464
nonregular service under Chapter 1223 of Section 1662 of Title XVI 465
of the "National Defense Authorization Act for Fiscal Year 1995," 466
108 Stat. 2998 (1994), 10 U.S.C.A. 12731 to 12739, or social 467
security; 468

(2) Used to obtain service credit pursuant to section 5505.16 469
of the Revised Code. 470

At the time the credit is purchased, the member shall certify 471
on a form furnished by the board that the member does and will 472
conform to this requirement. Any benefit paid under this section 473
to which the member is not entitled shall be recovered by any 474
recovery procedures available under this chapter. 475

As used in this section, "uniformed services" of the United 476
States has the same meaning as in division (D) of section 5505.16 477
of the Revised Code. 478

Section 2. That existing sections 145.301, 3307.751, 479
3309.021, 3313.616, and 5505.25 of the Revised Code are hereby 480
repealed. 481