



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 486

132nd General Assembly
(As Introduced)

Reps. Antonio, Ashford, Howse, Kent, Rogers, K. Smith, West

BILL SUMMARY

- Includes in the Public Employees Retirement System (PERS) public safety division PERS members who are employed full-time in positions requiring a certificate to practice as a first responder, emergency medical technician (EMT) basic, EMT-intermediate, or EMT-paramedic (EMS worker).
 - Provides that an EMS worker will receive full PERS public safety credit for PERS service prior to the bill only if the worker pays PERS the difference between the employee and employer contributions actually paid PERS and the contributions that would have been paid under public safety officer provisions, plus interest.
 - Provides that an EMS worker who does not pay the above amount will receive the same percentage of PERS public safety officer credit as the contributions actually paid is of the contributions that would have been paid under public safety officer provisions.
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CONTENT AND OPERATION

Emergency medical services workers in PERS public safety division

Under continuing law, the Public Employees Retirement System (PERS) has special retirement and benefit provisions for PERS members who are public safety officers.¹ These are officers who are in law enforcement but whose primary duties are other than to preserve the peace, protect life and property, and enforce the laws of this

¹ R.C. 145.332, not in the bill.

state. They include certain deputy sheriffs, township police, and state enforcement officers who are not in the PERS law enforcement division.²

PERS public safety officers are eligible for retirement at a different age and with a different benefit calculation than other PERS members. For example, based on current law, a newly hired officer will be eligible to retire with a full PERS pension at age 56 with at least 25 years of service credit as a public safety officer, while a new employee who is not a law enforcement officer or public safety officer and has 25 years of service credit will be eligible for full retirement at age 57. The public safety officer will receive an annual retirement allowance of 62.5% of final average salary (the average of the five highest salary years). The other employee will receive 55% of final average salary.³

The bill includes emergency medical services (EMS) workers in the PERS public safety division. It defines EMS workers as PERS members who are employed full-time in positions that require a certificate to practice as any of the following:

- First responder;
- Emergency medical technician-basic;
- Emergency medical technician-intermediate;
- Emergency medical technician-paramedic.⁴

Existing service credit

A PERS member who earned PERS credit for service as an EMS worker before the bill's effective date earned that credit under the nonpublic safety officer provisions. Since PERS contribution rates for public safety officers and their employers are higher than those for other PERS members and employers, the amounts contributed by the member and employer are less than they would have been had contributions been for service under the public safety officer provisions.⁵ The current PERS contribution rates for most government employees are 10% of earnable salary from employees and an

² R.C. 145.01(AAA).

³ R.C. 145.32(C), 145.33, and 145.332(C) and (F).

⁴ R.C. 145.01(AAA) and (BBB).

⁵ R.C. 145.47, 145.48, and 145.49, not in the bill.



amount equal to 14% from employers. Public safety rates are 12% from employees and an amount equal to 18.1% from employers.⁶

Under the bill, PERS service credit previously earned by an EMS worker will be treated as service credit under the public safety officer retirement provisions.⁷ However, a member will receive full public safety officer credit for the previous service only if for each year of service credit the member pays PERS the sum of the following:

- The difference between the amount the member actually contributed and the amount the member would have contributed under the public safety officer provisions;
- The difference between the amount the member's employer actually contributed and the amount the employer would have contributed under the public safety officer provisions;
- Interest on the previous two amounts at a rate determined by the PERS Board and compounded annually beginning on the last day of the year for which the service credit was earned and ending on the date the payment is made.⁸

A member who does not pay the above amounts will receive less service credit. This service credit will be an amount that is the same percentage of the member's previous service credit that the member's and employer's actual contributions for that credit is of the contributions they would have made had the service been under the public safety officer provisions.⁹ For example, if a member's and employer's prior contributions equal 80% of the contributions that would have been paid under the public safety officer provisions, the member will receive public safety officer service credit equal to 80% of the previous service credit. So, in this example, a member who has 10 years of credit for previous service will receive eight years of public safety officer service credit.

⁶ *Member and Employer Contribution Rates*, Public Employees Retirement System, <https://www.opers.org/members/faq/contributions.shtml>.

⁷ R.C. 145.335(A).

⁸ R.C. 145.335(B).

⁹ R.C. 145.335(C).



The bill permits the PERS Board to adopt rules that it considers necessary to implement these provisions.¹⁰

HISTORY

ACTION	DATE
Introduced	01-30-18

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¹⁰ R.C. 145.335(D).

