



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 78
135th General Assembly

Bill Analysis

[Click here for H.B. 78's Fiscal Note](#)

Version: As Passed by the House

Primary Sponsors: Reps. Seitz and J. Miller

Kailey Henry, Research Analyst

SUMMARY

- Makes retired teachers who are reemployed in positions covered by the State Teachers Retirement System (STRS) eligible to seek election to the STRS Board.
- Includes, as STRS members, student teachers who hold pre-service teacher permits and are employed as substitute teachers, and excludes them from School Employees Retirement System membership.

DETAILED ANALYSIS

State Teachers Retirement Board membership

The bill makes teachers retired from the State Teachers Retirement System (STRS) (called “superannuates”) who are reemployed in positions covered by STRS eligible to seek election to the STRS Board.¹ Currently, a reemployed superannuate cannot seek election to the Board.²

The 11-member Board includes seven elected members under continuing law. Current law limits the seven elected members to:

- Five members, known as contributing members, who must be STRS members (superannuates and reemployed superannuates are not STRS members³); and

¹ R.C. 3307.05.

² See 2004 Ohio Atty.Gen.Ops. No. 2004-040 and [STRS – Retirement Board Seat Up for Election in 2023](#), which may be accessed by conducting a keyword “election 2023” search on the State Teachers Retirement System website: strsoh.org.

³ R.C. 3307.01(C) and R.C. 3307.35(C), not in the bill.

- Two members, known as retired teacher members, who must be superannuates *not* otherwise employed in STRS-covered positions.

A reemployed superannuate may seek election under the bill as a retired teacher member. The bill does not affect the terms of Board members serving on the bill's effective date.⁴

STRS membership for pre-service teaching

The bill includes, as STRS members, student teachers who hold pre-service teacher permits and are employed as substitute teachers by a school district or school. It excludes them from School Employees Retirement System membership.⁵

H.B. 33 of the 135th General Assembly (the main operating appropriations act) created a three-year pre-service teacher permit for student teachers. Under that act, a student teacher who holds a permit may substitute teach and receive compensation for that service. However, because a student teacher who holds this permit is not being employed in a position for which a license or registration is required under continuing law, the student teacher is not currently a member of STRS.

HISTORY

Action	Date
Introduced	02-27-23
Reported, H. Pensions	10-03-23
Passed House (89-0)	12-06-23

ANHB0078PH-135/ts

⁴ R.C. 3307.05; Section 3.

⁵ R.C. 3307.01, by reference to R.C. 3319.0812, not in the bill, and R.C. 3309.01.