



Ohio Legislative Service Commission

Bill Analysis

Amy J. Rinehart

Sub. H.B. 305

131st General Assembly
(As Passed by the House)

Reps. Schuring, Barnes, Kuhns, Lepore-Hagan, Ramos, Sykes, Amstutz, Anielski, Antonio, Arndt, Ashford, Baker, Boggs, Boyd, Brown, Buchy, Burkley, Celebrezze, Cera, Craig, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Grossman, Hagan, Hall, Hambley, Hayes, Howse, G. Johnson, T. Johnson, Leland, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Reece, Retherford, Roegner, Rogers, Ruhl, Ryan, Schaffer, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Thompson, Young

BILL SUMMARY

- Includes in the membership of the Public Employees Retirement System nonteaching University of Akron employees who are initially employed on or after the bill's effective date or terminate employment after that date and are reemployed by the University not less than 12 months after termination.
- Retroactively extends eligibility for benefits from the Volunteer Peace Officers' Dependents Fund.

CONTENT AND OPERATION

University of Akron nonteaching employees

The bill includes as members of the Public Employees Retirement System (PERS) the following persons employed by the University of Akron in positions not covered by the State Teachers Retirement System:

--Persons initially employed by the University on or after the bill's effective date;

--Persons employed by the University on the bill's effective date who terminate employment after that date and are reemployed by the University not less than 12 months after the date of termination.¹

Other than certain law enforcement officers, nonteaching employees of the University participate in the School Employees Retirement System (SERS).² According to the Ohio Retirement Study Council, the University is the only four-year state university in Ohio whose nonteaching employees are in SERS rather than PERS.³

A full-time University of Akron law enforcement officer who was hired on or after September 16, 1998, became a member of PERS in the PERS law enforcement division.⁴ An employee of the University who was already a full-time law enforcement officer on that date was in SERS, but could make a one-time election to transfer to PERS. If the election was not made, the employee remained in SERS.⁵

Under the bill, SERS members who are nonteaching employees of the University when the bill takes effect will continue to participate in SERS. An employee who terminates employment and is later reemployed by the University will be in SERS unless the reemployment occurs 12 months or more after the date of termination.⁶

Volunteer Peace Officers' Dependents Fund

The bill retroactively extends eligibility for benefits from the Volunteer Peace Officers' Dependents Fund. The Fund was created by Sub. S.B. 11 of the 131st General Assembly, effective March 23, 2016. Instead of the March 23, 2016, effective date, the bill extends eligibility to survivors of volunteer peace officers killed in the line of duty and officers totally and permanently disabled in the line of duty if the death or injury occurred on or after December 22, 2015, the date on which the Governor signed S.B. 11.⁷

¹ R.C. 145.011(D).

² R.C. 3309.01(B)(3), not in the bill.

³ Ohio Retirement Study Council, *Re: Transfer of University of Akron Active Members from SERS to PERS*, March 11, 2002, <http://www.orsc.org/orsc/uploads/Reports/Akron.PDF> (accessed April 18, 2016).

⁴ R.C. 145.011(C).

⁵ R.C. 3309.312, not in the bill.

⁶ R.C. 145.011(D) and 3309.011(F).

⁷ R.C. 143.09(A) and (B).



The bill specifies that modifying the eligibility date for Fund benefits is not intended to change S.B. 11's effective date.⁸

Under S.B. 11, a "volunteer peace officer" is any person who is employed as a police officer, sheriff's deputy, constable, or deputy marshal in a part-time, reserve, or volunteer capacity by a county sheriff's department or the police department of a municipal corporation, township, township police district, or joint police district and is not a member of PERS, the Ohio Police and Fire Pension Fund, State Highway Patrol Retirement System, or Cincinnati Retirement System.⁹

S.B. 11 provides for the following death benefits to be paid from the Fund to the survivors of a volunteer peace officer killed in the line of duty:

--A surviving spouse receives a lump-sum award of \$1,000 and a benefit of \$300 per month.

--Each dependent child under age 18, or under age 22 if in school, receives a benefit of \$125 per month.

A volunteer peace officer who is totally and permanently disabled as a result of discharging the duties of a volunteer peace officer will receive a disability benefit from the Fund of \$300 per month, except during any time the officer is receiving the officer's full salary.¹⁰

HISTORY

ACTION	DATE
Introduced	08-25-15
Reported, H. Health & Aging	12-09-15
Re-referred to H. Finance	02-02-16
Reported, H. Finance	02-17-16
Passed House (97-0)	02-23-16

H0305-PH-131.docx/ks

⁸ Section 3.

⁹ R.C. 143.01(C), not in the bill.

¹⁰ R.C. 143.09(A) and (B).

