

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 486

Representative Antonio

Cosponsors: Representatives Ashford, Howse, Kent, Rogers, Smith, K., West

A BILL

To amend section 145.01 and to enact section 1
145.335 of the Revised Code to specify that 2
emergency medical services workers are public 3
safety officers under the Ohio Public Employees 4
Retirement System. 5

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

Section 1. That section 145.01 be amended and section 6
145.335 of the Revised Code be enacted to read as follows: 7

Sec. 145.01. As used in this chapter: 8

(A) "Public employee" means: 9

(1) Any person holding an office, not elective, under the 10
state or any county, township, municipal corporation, park 11
district, conservancy district, sanitary district, health 12
district, metropolitan housing authority, state retirement 13
board, Ohio history connection, public library, county law 14
library, union cemetery, joint hospital, institutional 15
commissary, state university, or board, bureau, commission, 16
council, committee, authority, or administrative body as the 17
same are, or have been, created by action of the general 18

assembly or by the legislative authority of any of the units of 19
local government named in division (A) (1) of this section, or 20
employed and paid in whole or in part by the state or any of the 21
authorities named in division (A) (1) of this section in any 22
capacity not covered by section 742.01, 3307.01, 3309.01, or 23
5505.01 of the Revised Code. 24

(2) A person who is a member of the public employees 25
retirement system and who continues to perform the same or 26
similar duties under the direction of a contractor who has 27
contracted to take over what before the date of the contract was 28
a publicly operated function. The governmental unit with which 29
the contract has been made shall be deemed the employer for the 30
purposes of administering this chapter. 31

(3) Any person who is an employee of a public employer, 32
notwithstanding that the person's compensation for that 33
employment is derived from funds of a person or entity other 34
than the employer. Credit for such service shall be included as 35
total service credit, provided that the employee makes the 36
payments required by this chapter, and the employer makes the 37
payments required by sections 145.48 and 145.51 of the Revised 38
Code. 39

(4) A person who elects in accordance with section 145.015 40
of the Revised Code to remain a contributing member of the 41
public employees retirement system. 42

(5) A person who is an employee of the legal rights 43
service on September 30, 2012, and continues to be employed by 44
the nonprofit entity established under Section 319.20 of Am. 45
Sub. H.B. 153 of the 129th general assembly. The nonprofit 46
entity is the employer for the purpose of this chapter. 47

In all cases of doubt, the public employees retirement board shall determine under section 145.036, 145.037, or 145.038 of the Revised Code whether any person is a public employee, and its decision is final.

(B) "Member" means any public employee, other than a public employee excluded or exempted from membership in the retirement system by section 145.03, 145.031, 145.032, 145.033, 145.034, 145.035, or 145.38 of the Revised Code. "Member" includes a PERS retirant who becomes a member under division (C) of section 145.38 of the Revised Code. "Member" also includes a disability benefit recipient.

(C) "Head of the department" means the elective or appointive head of the several executive, judicial, and administrative departments, institutions, boards, and commissions of the state and local government as the same are created and defined by the laws of this state or, in case of a charter government, by that charter.

(D) "Employer" or "public employer" means the state or any county, township, municipal corporation, park district, conservancy district, sanitary district, health district, metropolitan housing authority, state retirement board, Ohio history connection, public library, county law library, union cemetery, joint hospital, institutional commissary, state medical university, state university, or board, bureau, commission, council, committee, authority, or administrative body as the same are, or have been, created by action of the general assembly or by the legislative authority of any of the units of local government named in this division not covered by section 742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. In addition, "employer" means the employer of any public

employee.	78
(E) "Prior military service" also means all service credited for active duty with the armed forces of the United States as provided in section 145.30 of the Revised Code.	79 80 81
(F) "Contributor" means any person who has an account in the employees' savings fund created by section 145.23 of the Revised Code. When used in the sections listed in division (B) of section 145.82 of the Revised Code, "contributor" includes any person participating in a PERS defined contribution plan.	82 83 84 85 86
(G) "Beneficiary" or "beneficiaries" means the estate or a person or persons who, as the result of the death of a member, contributor, or retirant, qualify for or are receiving some right or benefit under this chapter.	87 88 89 90
(H) (1) "Total service credit," except as provided in section 145.37 of the Revised Code, means all service credited to a member of the retirement system since last becoming a member, including restored service credit as provided by section 145.31 of the Revised Code; credit purchased under sections 145.293 and 145.299 of the Revised Code; all the member's military service credit computed as provided in this chapter; all service credit established pursuant to section 145.297 of the Revised Code; and any other service credited under this chapter. For the exclusive purpose of satisfying the service credit requirement and of determining eligibility for benefits under sections 145.32, 145.33, 145.331, 145.332, 145.35, 145.36, and 145.361 of the Revised Code, "five or more years of total service credit" means sixty or more calendar months of contributing service in this system.	91 92 93 94 95 96 97 98 99 100 101 102 103 104 105
(2) "One and one-half years of contributing service	106

credit," as used in division (B) of section 145.45 of the Revised Code, also means eighteen or more calendar months of employment by a municipal corporation that formerly operated its own retirement plan for its employees or a part of its employees, provided that all employees of that municipal retirement plan who have eighteen or more months of such employment, upon establishing membership in the public employees retirement system, shall make a payment of the contributions they would have paid had they been members of this system for the eighteen months of employment preceding the date membership was established. When that payment has been made by all such employee members, a corresponding payment shall be paid into the employers' accumulation fund by that municipal corporation as the employer of the employees.

(3) Not more than one year of credit may be given for any period of twelve months.

(4) "Ohio service credit" means credit for service that was rendered to the state or any of its political subdivisions or any employer.

(I) "Regular interest" means interest at any rates for the respective funds and accounts as the public employees retirement board may determine from time to time.

(J) "Accumulated contributions" means the sum of all amounts credited to a contributor's individual account in the employees' savings fund together with any interest credited to the contributor's account under section 145.471 or 145.472 of the Revised Code.

(K) (1) "Final average salary" means the greater of the following:

(a) The sum of the member's earnable salaries for the 136
appropriate number of calendar years of contributing service, 137
determined under section 145.017 of the Revised Code, in which 138
the member's earnable salary was highest, divided by the same 139
number of calendar years or, if the member has fewer than the 140
appropriate number of calendar years of contributing service, 141
the total of the member's earnable salary for all years of 142
contributing service divided by the number of calendar years of 143
the member's contributing service; 144

(b) The sum of a member's earnable salaries for the 145
appropriate number of consecutive months, determined under 146
section 145.017 of the Revised Code, that were the member's last 147
months of service, up to and including the last month, divided 148
by the appropriate number of years or, if the time between the 149
first and final months of service is less than the appropriate 150
number of consecutive months, the total of the member's earnable 151
salary for all months of contributing service divided by the 152
number of years between the first and final months of 153
contributing service, including any fraction of a year, except 154
that the member's final average salary shall not exceed the 155
member's highest earnable salary for any twelve consecutive 156
months. 157

(2) If contributions were made in only one calendar year, 158
"final average salary" means the member's total earnable salary. 159

(L) "Annuity" means payments for life derived from 160
contributions made by a contributor and paid from the annuity 161
and pension reserve fund as provided in this chapter. All 162
annuities shall be paid in twelve equal monthly installments. 163

(M) "Annuity reserve" means the present value, computed 164
upon the basis of the mortality and other tables adopted by the 165

board, of all payments to be made on account of any annuity, or	166
benefit in lieu of any annuity, granted to a retirant as	167
provided in this chapter.	168
(N) (1) "Disability retirement" means retirement as	169
provided in section 145.36 of the Revised Code.	170
(2) "Disability allowance" means an allowance paid on	171
account of disability under section 145.361 of the Revised Code.	172
(3) "Disability benefit" means a benefit paid as	173
disability retirement under section 145.36 of the Revised Code,	174
as a disability allowance under section 145.361 of the Revised	175
Code, or as a disability benefit under section 145.37 of the	176
Revised Code.	177
(4) "Disability benefit recipient" means a member who is	178
receiving a disability benefit.	179
(O) "Age and service retirement" means retirement as	180
provided in sections 145.32, 145.33, 145.331, 145.332, 145.37,	181
and 145.46 and former section 145.34 of the Revised Code.	182
(P) "Pensions" means annual payments for life derived from	183
contributions made by the employer that at the time of	184
retirement are credited into the annuity and pension reserve	185
fund from the employers' accumulation fund and paid from the	186
annuity and pension reserve fund as provided in this chapter.	187
All pensions shall be paid in twelve equal monthly installments.	188
(Q) "Retirement allowance" means the pension plus that	189
portion of the benefit derived from contributions made by the	190
member.	191
(R) (1) Except as otherwise provided in division (R) of	192
this section, "earnable salary" means all salary, wages, and	193

other earnings paid to a contributor by reason of employment in 194
a position covered by the retirement system. The salary, wages, 195
and other earnings shall be determined prior to determination of 196
the amount required to be contributed to the employees' savings 197
fund under section 145.47 of the Revised Code and without regard 198
to whether any of the salary, wages, or other earnings are 199
treated as deferred income for federal income tax purposes. 200
"Earnable salary" includes the following: 201

(a) Payments made by the employer in lieu of salary, 202
wages, or other earnings for sick leave, personal leave, or 203
vacation used by the contributor; 204

(b) Payments made by the employer for the conversion of 205
sick leave, personal leave, and vacation leave accrued, but not 206
used if the payment is made during the year in which the leave 207
is accrued, except that payments made pursuant to section 208
124.383 or 124.386 of the Revised Code are not earnable salary; 209

(c) Allowances paid by the employer for maintenance, 210
consisting of housing, laundry, and meals, as certified to the 211
retirement board by the employer or the head of the department 212
that employs the contributor; 213

(d) Fees and commissions paid under section 507.09 of the 214
Revised Code; 215

(e) Payments that are made under a disability leave 216
program sponsored by the employer and for which the employer is 217
required by section 145.296 of the Revised Code to make periodic 218
employer and employee contributions; 219

(f) Amounts included pursuant to former division (K) (3) 220
and former division (Y) of this section and section 145.2916 of 221
the Revised Code. 222

(2) "Earnable salary" does not include any of the	223
following:	224
(a) Fees and commissions, other than those paid under	225
section 507.09 of the Revised Code, paid as sole compensation	226
for personal services and fees and commissions for special	227
services over and above services for which the contributor	228
receives a salary;	229
(b) Amounts paid by the employer to provide life	230
insurance, sickness, accident, endowment, health, medical,	231
hospital, dental, or surgical coverage, or other insurance for	232
the contributor or the contributor's family, or amounts paid by	233
the employer to the contributor in lieu of providing the	234
insurance;	235
(c) Incidental benefits, including lodging, food, laundry,	236
parking, or services furnished by the employer, or use of the	237
employer's property or equipment, or amounts paid by the	238
employer to the contributor in lieu of providing the incidental	239
benefits;	240
(d) Reimbursement for job-related expenses authorized by	241
the employer, including moving and travel expenses and expenses	242
related to professional development;	243
(e) Payments for accrued but unused sick leave, personal	244
leave, or vacation that are made at any time other than in the	245
year in which the sick leave, personal leave, or vacation was	246
accrued;	247
(f) Payments made to or on behalf of a contributor that	248
are in excess of the annual compensation that may be taken into	249
account by the retirement system under division (a) (17) of	250
section 401 of the "Internal Revenue Code of 1986," 100 Stat.	251

2085, 26 U.S.C.A. 401(a) (17), as amended;	252
(g) Payments made under division (B), (C), or (E) of	253
section 5923.05 of the Revised Code, Section 4 of Substitute	254
Senate Bill No. 3 of the 119th general assembly, Section 3 of	255
Amended Substitute Senate Bill No. 164 of the 124th general	256
assembly, or Amended Substitute House Bill No. 405 of the 124th	257
general assembly;	258
(h) Anything of value received by the contributor that is	259
based on or attributable to retirement or an agreement to	260
retire, except that payments made on or before January 1, 1989,	261
that are based on or attributable to an agreement to retire	262
shall be included in earnable salary if both of the following	263
apply:	264
(i) The payments are made in accordance with contract	265
provisions that were in effect prior to January 1, 1986;	266
(ii) The employer pays the retirement system an amount	267
specified by the retirement board equal to the additional	268
liability resulting from the payments.	269
(i) The portion of any amount included in section 145.2916	270
of the Revised Code that represents employer contributions.	271
(3) The retirement board shall determine by rule whether	272
any compensation not enumerated in division (R) of this section	273
is earnable salary, and its decision shall be final.	274
(S) "Pension reserve" means the present value, computed	275
upon the basis of the mortality and other tables adopted by the	276
board, of all payments to be made on account of any retirement	277
allowance or benefit in lieu of any retirement allowance,	278
granted to a member or beneficiary under this chapter.	279

(T) "Contributing service" means both of the following:	280
(1) All service credited to a member of the system since	281
January 1, 1935, for which contributions are made as required by	282
sections 145.47, 145.48, and 145.483 of the Revised Code. In any	283
year subsequent to 1934, credit for any service shall be allowed	284
in accordance with section 145.016 of the Revised Code.	285
(2) Service credit received by election of the member	286
under section 145.814 of the Revised Code.	287
(U) "State retirement board" means the public employees	288
retirement board, the school employees retirement board, or the	289
state teachers retirement board.	290
(V) "Retirant" means any former member who retires and is	291
receiving a monthly allowance as provided in sections 145.32,	292
145.33, 145.331, 145.332, and 145.46 and former section 145.34	293
of the Revised Code.	294
(W) "Employer contribution" means the amount paid by an	295
employer as determined under section 145.48 of the Revised Code.	296
(X) "Public service terminates" means the last day for	297
which a public employee is compensated for services performed	298
for an employer or the date of the employee's death, whichever	299
occurs first.	300
(Y) "Five years of service credit," for the exclusive	301
purpose of satisfying the service credit requirements and of	302
determining eligibility under section 145.33 or 145.332 of the	303
Revised Code, means employment covered under this chapter or	304
under a former retirement plan operated, recognized, or endorsed	305
by the employer prior to coverage under this chapter or under a	306
combination of the coverage.	307

(Z) "Deputy sheriff" means any person who is commissioned 308
and employed as a full-time peace officer by the sheriff of any 309
county, and has been so employed since on or before December 31, 310
1965; any person who is or has been commissioned and employed as 311
a peace officer by the sheriff of any county since January 1, 312
1966, and who has received a certificate attesting to the 313
person's satisfactory completion of the peace officer training 314
school as required by section 109.77 of the Revised Code; or any 315
person deputized by the sheriff of any county and employed 316
pursuant to section 2301.12 of the Revised Code as a criminal 317
bailiff or court constable who has received a certificate 318
attesting to the person's satisfactory completion of the peace 319
officer training school as required by section 109.77 of the 320
Revised Code. 321

(AA) "Township constable or police officer in a township 322
police department or district" means any person who is 323
commissioned and employed as a full-time peace officer pursuant 324
to Chapter 505. or 509. of the Revised Code, who has received a 325
certificate attesting to the person's satisfactory completion of 326
the peace officer training school as required by section 109.77 327
of the Revised Code. 328

(BB) "Drug agent" means any person who is either of the 329
following: 330

(1) Employed full time as a narcotics agent by a county 331
narcotics agency created pursuant to section 307.15 of the 332
Revised Code and has received a certificate attesting to the 333
satisfactory completion of the peace officer training school as 334
required by section 109.77 of the Revised Code; 335

(2) Employed full time as an undercover drug agent as 336
defined in section 109.79 of the Revised Code and is in 337

compliance with section 109.77 of the Revised Code.	338
(CC) "Department of public safety enforcement agent" means	339
a full-time employee of the department of public safety who is	340
designated under section 5502.14 of the Revised Code as an	341
enforcement agent and who is in compliance with section 109.77	342
of the Revised Code.	343
(DD) "Natural resources law enforcement staff officer"	344
means a full-time employee of the department of natural	345
resources who is designated a natural resources law enforcement	346
staff officer under section 1501.013 of the Revised Code and is	347
in compliance with section 109.77 of the Revised Code.	348
(EE) "Forest-fire investigator" means a full-time employee	349
of the department of natural resources who is appointed a	350
forest-fire investigator under section 1503.09 of the Revised	351
Code and is in compliance with section 109.77 of the Revised	352
Code.	353
(FF) "Natural resources officer" means a full-time	354
employee of the department of natural resources who is appointed	355
as a natural resources officer under section 1501.24 of the	356
Revised Code and is in compliance with section 109.77 of the	357
Revised Code.	358
(GG) "Wildlife officer" means a full-time employee of the	359
department of natural resources who is designated a wildlife	360
officer under section 1531.13 of the Revised Code and is in	361
compliance with section 109.77 of the Revised Code.	362
(HH) "Park district police officer" means a full-time	363
employee of a park district who is designated pursuant to	364
section 511.232 or 1545.13 of the Revised Code and is in	365
compliance with section 109.77 of the Revised Code.	366

(II) "Conservancy district officer" means a full-time 367
employee of a conservancy district who is designated pursuant to 368
section 6101.75 of the Revised Code and is in compliance with 369
section 109.77 of the Revised Code. 370

(JJ) "Municipal police officer" means a member of the 371
organized police department of a municipal corporation who is 372
employed full time, is in compliance with section 109.77 of the 373
Revised Code, and is not a member of the Ohio police and fire 374
pension fund. 375

(KK) "Veterans' home police officer" means any person who 376
is employed at a veterans' home as a police officer pursuant to 377
section 5907.02 of the Revised Code and is in compliance with 378
section 109.77 of the Revised Code. 379

(LL) "Special police officer for a mental health 380
institution" means any person who is designated as such pursuant 381
to section 5119.08 of the Revised Code and is in compliance with 382
section 109.77 of the Revised Code. 383

(MM) "Special police officer for an institution for 384
persons with intellectual disabilities" means any person who is 385
designated as such pursuant to section 5123.13 of the Revised 386
Code and is in compliance with section 109.77 of the Revised 387
Code. 388

(NN) "State university law enforcement officer" means any 389
person who is employed full time as a state university law 390
enforcement officer pursuant to section 3345.04 of the Revised 391
Code and who is in compliance with section 109.77 of the Revised 392
Code. 393

(OO) "House sergeant at arms" means any person appointed 394
by the speaker of the house of representatives under division 395

(B) (1) of section 101.311 of the Revised Code who has arrest authority under division (E) (1) of that section. 396
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(PP) "Assistant house sergeant at arms" means any person appointed by the house sergeant at arms under division (C) (1) of section 101.311 of the Revised Code. 398
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(QQ) "Regional transit authority police officer" means a person who is employed full time as a regional transit authority police officer under division (Y) of section 306.35 of the Revised Code and is in compliance with section 109.77 of the Revised Code. 401
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(RR) "State highway patrol police officer" means a special police officer employed full time and designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person serving full time as a special police officer pursuant to that section on a permanent basis on October 21, 1997, who is in compliance with section 109.77 of the Revised Code. 406
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(SS) "Municipal public safety director" means a person who serves full time as the public safety director of a municipal corporation with the duty of directing the activities of the municipal corporation's police department and fire department. 413
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(TT) "Bureau of criminal identification and investigation investigator" means a person who is in compliance with section 109.77 of the Revised Code and is employed full time as an investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to 417
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authority granted under that section. 425

(UU) "Gaming agent" means a person who is in compliance 426
with section 109.77 of the Revised Code and is employed full 427
time as a gaming agent with the Ohio casino control commission 428
pursuant to section 3772.03 of the Revised Code. 429

(VV) "Department of taxation investigator" means a person 430
employed full time with the department of taxation to whom both 431
of the following apply: 432

(1) The person has been delegated investigation powers 433
pursuant to section 5743.45 of the Revised Code for the 434
enforcement of Chapters 5728., 5735., 5739., 5741., 5743., and 435
5747. of the Revised Code. 436

(2) The person is in compliance with section 109.77 of the 437
Revised Code. 438

(WW) "Special police officer for a port authority" means a 439
person who is in compliance with section 109.77 of the Revised 440
Code and is employed full time as a special police officer with 441
a port authority under section 4582.04 or 4582.28 of the Revised 442
Code. 443

(XX) "Special police officer for a municipal airport" 444
means a person to whom both of the following apply: 445

(1) The person is employed full time as a special police 446
officer with a municipal corporation at a municipal airport or 447
other municipal air navigation facility that meets both of the 448
following requirements: 449

(a) The airport or navigation facility has scheduled 450
operations, as defined in 14 C.F.R. 110.2, as amended. 451

(b) The airport or navigation facility is required to be 452

under a security program and is governed by aviation security 453
rules of the transportation security administration of the 454
United States department of transportation as provided in 49 455
C.F.R. parts 1542 and 1544, as amended. 456

(2) The person is in compliance with section 109.77 of the 457
Revised Code. 458

(YY) Notwithstanding section 2901.01 of the Revised Code, 459
"PERS law enforcement officer" means a sheriff or any of the 460
following whose primary duties are to preserve the peace, 461
protect life and property, and enforce the laws of this state: a 462
deputy sheriff, township constable or police officer in a 463
township police department or district, drug agent, department 464
of public safety enforcement agent, natural resources law 465
enforcement staff officer, wildlife officer, forest-fire 466
investigator, natural resources officer, park district police 467
officer, conservancy district officer, veterans' home police 468
officer, special police officer for a mental health institution, 469
special police officer for an institution for persons with 470
developmental disabilities, state university law enforcement 471
officer, municipal police officer, house sergeant at arms, 472
assistant house sergeant at arms, regional transit authority 473
police officer, or state highway patrol police officer. 474

"PERS law enforcement officer" also includes a person 475
employed as a bureau of criminal identification and 476
investigation investigator, gaming agent, department of taxation 477
investigator, special police officer for a port authority, or 478
special police officer for a municipal airport who commences 479
employment in any of those positions on or after ~~the effective~~ 480
~~date of this amendment~~ April 6, 2017, or makes the election 481
described in section 145.334 of the Revised Code. 482

"PERS law enforcement officer" also includes a person 483
serving as a municipal public safety director at any time during 484
the period from September 29, 2005, to March 24, 2009, if the 485
duties of that service were to preserve the peace, protect life 486
and property, and enforce the laws of this state. 487

(ZZ) "Hamilton county municipal court bailiff" means a 488
person appointed by the clerk of courts of the Hamilton county 489
municipal court under division (A) (3) of section 1901.32 of the 490
Revised Code who is employed full time as a bailiff or deputy 491
bailiff, who has received a certificate attesting to the 492
person's satisfactory completion of the peace officer basic 493
training described in division (D) (1) of section 109.77 of the 494
Revised Code. 495

(AAA) "Emergency medical services worker" means a member 496
of the public employees retirement system who is employed full- 497
time in a position that requires a certificate issued under 498
section 4765.30 of the Revised Code to practice as a first 499
responder, emergency medical technician-basic, emergency medical 500
technician-intermediate, or emergency medical technician- 501
paramedic. 502

(BBB) "PERS public safety officer" means ~~a~~ any of the 503
following: 504

(1) A Hamilton county municipal court bailiff, ~~or any~~; 505

(2) An emergency medical services worker; 506

(3) Any of the following whose primary duties are other 507
than to preserve the peace, protect life and property, and 508
enforce the laws of this state: ~~a-~~ 509

(a) A deputy sheriff; 510

<u>(b)</u> A township constable or police officer in a township police department or district 7i	511 512
<u>(c)</u> A drug agent 7i	513
<u>(d)</u> A department of public safety enforcement agent 7i	514
<u>(e)</u> A natural resources law enforcement staff officer 7i	515
<u>(f)</u> A wildlife officer 7i	516
<u>(g)</u> A forest-fire investigator 7i	517
<u>(h)</u> A natural resources officer 7i	518
<u>(i)</u> A park district police officer 7i	519
<u>(j)</u> A conservancy district officer 7i	520
<u>(k)</u> A veterans' home police officer 7i	521
<u>(l)</u> A special police officer for a mental health institution 7i	522 523
<u>(m)</u> A special police officer for an institution for persons with developmental disabilities 7i	524 525
<u>(n)</u> A state university law enforcement officer 7i	526
<u>(o)</u> A municipal police officer 7i	527
<u>(p)</u> The house sergeant at arms 7i	528
<u>(q)</u> An assistant house sergeant at arms 7i	529
<u>(r)</u> A regional transit authority police officer 7 or 7i	530
<u>(s)</u> A state highway patrol police officer.	531
"PERS public safety officer" also includes a person	532
employed as a bureau of criminal identification and	533
investigation investigator, gaming agent, department of taxation	534

investigator, special police officer for a port authority, or 535
special police officer for a municipal airport who commences 536
employment in any of those positions on or after ~~the effective~~ 537
~~date of this amendment~~ April 6, 2017, or makes the election 538
described in section 145.334 of the Revised Code. 539

"PERS public safety officer" also includes a person 540
serving as a municipal public safety director at any time during 541
the period from September 29, 2005, to March 24, 2009, if the 542
duties of that service were other than to preserve the peace, 543
protect life and property, and enforce the laws of this state. 544

~~(BBB)~~ (CCC) "Fiduciary" means a person who does any of the 545
following: 546

(1) Exercises any discretionary authority or control with 547
respect to the management of the system or with respect to the 548
management or disposition of its assets; 549

(2) Renders investment advice for a fee, direct or 550
indirect, with respect to money or property of the system; 551

(3) Has any discretionary authority or responsibility in 552
the administration of the system. 553

~~(CCC)~~ (DDD) "Actuary" means an individual who satisfies 554
all of the following requirements: 555

(1) Is a member of the American academy of actuaries; 556

(2) Is an associate or fellow of the society of actuaries; 557

(3) Has a minimum of five years' experience in providing 558
actuarial services to public retirement plans. 559

~~(DDD)~~ (EEE) "PERS defined benefit plan" means the plan 560
described in sections 145.201 to 145.79 of the Revised Code. 561

~~(EEE)~~-(FFF) "PERS defined contribution plans" means the 562
plan or plans established under section 145.81 of the Revised 563
Code. 564

Sec. 145.335. (A) A PERS member who is a public safety 565
officer and has service credit under section 145.33 of the 566
Revised Code for service as an emergency medical services worker 567
shall have the credit treated as service credit under division 568
(A) (2) or (3), (B) (1) (b) or (c), or (C) (2) or (3) of section 569
145.332 of the Revised Code. The amount of credit shall be 570
determined under division (B) or (C) of this section. 571

(B) The member shall receive full credit under division 572
(A) (2) or (3), (B) (1) (b) or (c), or (C) (2) or (3) of section 573
145.332 of the Revised Code if the member pays to the public 574
employees retirement system, for each year of service credit, 575
the sum of the following: 576

(1) An amount equal to the difference between the amount 577
the member contributed as employee contributions and the amount 578
the member would have contributed had the member been 579
contributing toward a benefit under division (A) (2) or (3), (B) 580
(1) (b) or (c), or (C) (2) or (3) of section 145.332 of the 581
Revised Code; 582

(2) An amount equal to the difference between the amount 583
the member's employer contributed as employer contributions and 584
the amount the employer would have contributed had the member 585
been contributing toward a benefit under division (A) (2) or (3), 586
(B) (1) (b) or (c), or (C) (2) or (3) of section 145.332 of the 587
Revised Code; 588

(3) Interest on the amounts specified in divisions (B) (1) 589
and (2) of this section at a rate determined by the public 590

employees retirement board and compounded annually beginning on 591
the last day of the year for which the service credit was earned 592
and ending on the date the payment is made. 593

(C) A member who does not make the payment described in 594
division (B) of this section shall receive service credit under 595
division (A) (2) or (3), (B) (1) (b) or (c), or (C) (2) or (3) of 596
section 145.332 of the Revised Code that is the same percentage 597
of the member's service credit as an emergency medical services 598
worker that the amount the member and the employer contributed 599
for that service is of the amount they would have contributed 600
had the service been as a public safety officer. 601

(D) The board may adopt rules as it considers necessary to 602
implement this section. 603

Section 2. That existing section 145.01 of the Revised 604
Code is hereby repealed. 605