



**H.B. 198**

125th General Assembly  
(As Introduced)

**Rep. Willamowski**

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**BILL SUMMARY**

- Creates a special division in PERS for public safety officers.
  - Includes corrections officers in the law enforcement division of the Public Employees Retirement System (PERS-LE).
  - Provides for conversion of service credit earned by corrections officers prior to the bill's effective date.
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**CONTENT AND OPERATION**

**Background**

The Public Employees Retirement System (PERS) has special provisions for members who are law enforcement officers. Under these provisions members with sufficient qualifying credit may retire earlier than other PERS members and will receive a benefit calculated under a different benefit formula (see **COMMENT**). These law enforcement officers include a range of state, county, and township officers who, if they have 25 years of law enforcement service, qualify for full retirement at age 48 or at age 52, depending on the nature of the service. Those whose primary duties are preservation of the peace, protection of life and property, and enforcement of the law qualify at age 48; all others qualify at age 52.

**The bill**

**Public safety officer category of PERS membership**

(R.C. 145.33 and 145.49)

The bill creates a new category of PERS members: public safety officers. It limits the current PERS-LE category to those currently eligible to retire at age 48 with 25 years of service. Those not eligible to retire until age 52 are in the new

public safety officer category. There is no change in the way benefits are calculated.

**Corrections officers**

(R.C. 145.01 and 145.33)

The bill provides for PERS members employed as corrections officers to be included in the public safety officer category created by the bill.

The bill defines "corrections officer" as an individual employed in a state correctional institution or a local correctional facility whose duties are to maintain the security of the institution or facility and monitor the behavior of inmates who are in the custody of that institution or facility to ensure their safety, health, and well being.

**Credit for prior service**

(R.C. 145.33 and 145.491)

Under current law, employee and employer contribution rates for members in PERS-LE are calculated separately from those for other PERS members and are higher (see **COMMENT**). These higher rates will continue to apply to members in the public safety category and will apply for the first time to corrections officers.

The bill provides a mechanism for equalizing the service credit corrections officers earned prior to the bill's effective date with credit of other public safety officers. Credit for a member's service in PERS as a corrections officer earned prior to the bill's effective date may be used for a benefit calculated under the public safety officer provisions only if the corrections officer does one of the following:

(1) Pays PERS the difference between the total amount the corrections officer and employer paid as contribution to PERS and the amount that would have been paid under PERS-LE, plus interest; or

(2) Accepts a reduced amount of credit.

If a corrections officer accepts a reduced amount of credit, the service credit will be the same percentage of the officer's years of service that the total contributions made by or on behalf of the officer are of the contributions that would have been made under PERS-LE provisions. If, for example, the total contributions are 80% of the contributions that would have been contributed under PERS-LE, the officer will receive 80% of the service credit the officer earned prior to the bill's effective date.



## COMMENT

The following chart shows the difference in contribution rates, retirement eligibility, and benefit calculations between regular PERS members and members of PERS-LE. Under the bill, the provisions for public safety officers will be the same as those shown in the last column--the column for PERS-LE members whose primary duties are other than to preserve the peace, protect life and property, and enforce the laws.

<b>PERS Feature</b>	<b>Regular PERS Members</b>	<b>PERS Law Enforcement Officers</b> whose duties are to preserve the peace, protect life and property, and enforce the laws	<b>PERS Law Enforcement Officers</b> whose primary duties are <b>other than</b> to preserve the peace, protect life and property, and enforce the laws (public safety officers)
<b>Employee Contribution Rate</b>	8.5 % of earnable salary	10.1% of earnable salary	9.0% of earnable salary
<b>Employer Contribution Rate</b>	State--13.31% of earnable salary  Local--13.55% of earnable salary	16.7% of earnable salary	16.7% of earnable salary
<b>Regular Retirement Eligibility</b>	At any age with 30 or more years of service  Age 65 with 5 years of service	Age 48 with 25 years of service  Age 62 with 15 years of service	Age 52 with 25 years of service  Age 62 with 15 years of service
<b>Early Retirement Eligibility</b>	Age 60 with 5 or more years of service  Age 55 with 25 or more years of service	Any age with 15 or more years of service, but payment of benefits is deferred until age 52	Any age with 15 or more years of service, but payment of benefits is deferred until age 52  Age 48 with 25 or more years of service

<b>PERS Feature</b>	<b>Regular PERS Members</b>	<b>PERS Law Enforcement Officers</b> whose duties are to preserve the peace, protect life and property, and enforce the laws	<b>PERS Law Enforcement Officers</b> whose primary duties are <b>other than</b> to preserve the peace, protect life and property, and enforce the laws (public safety officers)
<b>Regular Retirement Benefit Formulas</b>	The greater of:  (a) \$86 x years of service;  (b) 2.2% final average salary (FAS) x years of service through 30 years, plus 2.5% FAS x years over 30, not to exceed 100% of FAS <sup>1</sup>	2.5% FAS x years of service through 25 years of service, plus 2.1% FAS x years over 25, not to exceed 90% of FAS	2.5% FAS x years of service through 25 years of service, plus 2.1% FAS x years over 25, not to exceed 90% of FAS
<b>Early Retirement Benefit Formulas</b>	Less than 30 years of service, or under age 65, benefit is reduced 3 to 25%, depending on age and years of service	Under age 62 with at least 15 but less than 25 years of service, 1.5% FAS x years of service	Under age 62 with at least 15 but less than 25 years of service, 1.5% FAS x years of service  At least age 48 but less than age 52 with 25 years of service, benefit is reduced 7 to 25%, depending on age

<sup>1</sup> With some exceptions, final average salary is the average of the three years of contributing service in which the member's earnable salary was highest (R.C. 145.01).

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	05-21-03	pp. 498-499

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