Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 67 of the 130th G.A. **Date**: March 8, 2013

Status: As Passed by the Senate **Sponsor**: Reps. Schuring and Ramos

Local Impact Statement Procedure Required: No

Contents: To delay determinations by the Public Employees Retirement System of eligibility for retirement system membership and to declare an emergency

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill would delay certain deadlines related to a request to seek a determination of eligibility for retirement system membership from the Public Employees Retirement System (PERS) Board for an individual[1] who provided personal services to a public employer but was not classified as a public employee. This bill would have no direct fiscal impact on the state and local governments.

Under existing law, an individual who provided personal services to a public employer on or before January 7, 2013 (S.B. 343, 129th General Assembly), but was not classified as a public employee may request from the PERS Board by not later than January 7, 2014, a determination of whether the individual should have been classified as a public employee. The Board must notify each public employer of the right of any such individuals by not later than February 6, 2013. Not later than March 8, 2013, the employer must send to the individual a notice of the right to seek such determination. Regardless of whether such individual receives the notice, the Board, upon receipt of properly completed forms, must determine whether the individual should have been classified as a public employee by not later than January 7, 2014.

This bill delays the deadline for such individual to request such determination from January 7, 2014 to August 7, 2014, unless the individual is unable to request a determination by the deadline because he or she is mentally or physically incapacitated. The bill also delays the date that each public employer must send a written notice of the right to seek the determination to not later than September 7, 2013, from March 8, 2013 in current law.

The bill also includes an emergency clause, indicating that if enacted its provisions go into immediate effect.

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[1] The request for such determination does not apply to an individual employed by a business entity under contract with a public employer to provide personal services to the employer.