
MISCELLANEOUS

Additional PERS service credit purchase

- Allows a Public Employees Retirement System (PERS) member appointed by the Speaker of the House or Senate President to serve full-time as a member of a board, commission, or other public body to purchase additional PERS service credit for the appointment period.

Withholding child and spousal support from gambling winnings

- Eliminates references in the law to an obsolete paper-based process for the Lottery Commission (LOT) to withhold past due child or spousal support from a person's lottery winnings.
- Requires LOT still to withhold those amounts using a computerized database maintained by JFS.
- Requires a casino operator or sports gaming proprietor to transmit withheld child and spousal support to JFS by electronic means.

Additional PERS service credit purchase

(R.C. 145.201)

Under the bill, a Public Employees Retirement System (PERS) member appointed by the Speaker of the House or Senate President to serve full time as a member of a board, commission, or other public body may, before retirement, purchase additional PERS service credit for the appointment period in an amount up to 35% of the credit allowed for that period. Continuing law allows a PERS member who is an elective official or is appointed by the Governor with the advice and consent of the Senate to serve as a full-time member of a board, commission, or other public body to purchase the additional service credit for the period as an elective or appointed official.

Continuing law allows the PERS Board to determine by rule who is full time for the purpose of determining eligibility for a purchase of additional service credit. Under those rules, a member of a board, commission, or other public body must earn a salary of at least \$1,000 per month to be considered full time.¹¹⁴ Of the boards and commissions that have Speaker- or President-appointed members who are not legislators and participate in PERS, it appears that only the members of the Transportation Review Advisory Council appointed by the Speaker or President could earn enough salary in a month to be considered full time and eligible to purchase additional PERS service credit under this provision.¹¹⁵

¹¹⁴ O.A.C. 145-2-07.

¹¹⁵ R.C. 5512.08, not in the bill.

Withholding child and spousal support from gambling winnings Lottery winnings

(R.C. 3123.89, 3770.071, and 3770.99)

The bill eliminates references in the law to an obsolete paper-based process for the Lottery Commission (LOT) to withhold past due child or spousal support from a person's lottery winnings. However, LOT still must withhold those amounts using a computerized database.

Under continuing law, when a person's lottery winnings meet a certain dollar threshold, LOT must check a Department of Job and Family Services (ODJFS) database to determine whether the person owes any past due child or spousal support. If the person does owe past due support, LOT must withhold the past due amount from the person's winnings and send the money to ODJFS. Continuing law also requires LOT to withhold income taxes and any debts owed to the government. The dollar threshold for withholding is based on the federal income tax reporting threshold for gambling winnings, which is generally \$600 for lottery games.¹¹⁶

In addition to referencing the ODJFS database, existing law describes an older process that requires ODJFS and LOT to communicate with each other using paper forms to identify lottery winners who owe past due support and withhold the amount from the winnings. The bill removes that process and requires LOT and ODJFS to use the database.

Casino and sports gaming winnings

(R.C. 3123.90)

The bill also modifies similar provisions of law concerning withholding of past due child and spousal support from casino and sports gaming winnings to require a casino operator or sports gaming proprietor to transmit the money to ODJFS by electronic means.

¹¹⁶ See R.C. 3770.072 and 3770.073, not in the bill; 26 U.S.C. 6041; and Internal Revenue Service, [Instructions for Forms W-2G and 5754 \(01/2021\)](#), available at [irs.gov](https://www.irs.gov) under "Forms and Instructions."