



# Ohio Legislative Service Commission

## Final Analysis

Amy J. Rinehart

### H.B. 67

130th General Assembly  
(As Passed by the General Assembly)

- Reps.** Schuring and Ramos, Amstutz, R. Adams, Anielski, Antonio, Ashford, Barborak, Beck, Becker, Blair, Blessing, Brenner, Brown, Budish, Burkley, Carney, Celebrezze, Derickson, Duffey, Foley, Gerberry, Green, Grossman, Hackett, C. Hagan, R. Hagan, Hall, Hayes, Heard, Hill, Johnson, Landis, Letson, Maag, Mallory, McClain, McGregor, Milkovich, O'Brien, Patterson, Pelanda, Phillips, Pillich, Ramos, Retherford, Rogers, Rosenberger, Ruhl, Sears, Smith, Sprague, Stebelton, Stinziano, Terhar, Thompson, Wachtmann, Young, Batchelder
- Sens.** Brown Balderson, Beagle, Eklund, Hite, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker

**Effective date:** Emergency, March 6, 2013

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## ACT SUMMARY

- Delays until September 7, 2013, a requirement that certain public employers notify individuals who have provided personal services of their right to seek determinations of membership in the Public Employees Retirement System (PERS).
- Delays until August 7, 2014, the date by which an individual must submit a request for PERS to determine whether the individual should have been classified as a public employee for purposes of PERS membership.

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## CONTENT AND OPERATION

The act delays the dates for certain employer notification requirements and employee membership determination requests that are required or authorized by Sub. S.B. 343 of the 129th General Assembly.

### S.B. 343 membership determinations

In the law governing the Public Employees Retirement System (PERS), the definition of "public employee" generally determines who is subject to compulsory PERS membership. "Public employee" includes almost all state and local government

employees who are not members of one of Ohio's other four state retirement systems or the Cincinnati Retirement System. In all cases of doubt, the PERS Board is to determine who is a public employee. Its decision is final.<sup>1</sup>

S.B. 343 created a procedure under which individuals who provided personal services to a public employer on or before January 7, 2013, but were not included in PERS may request a determination of whether they are public employees and should be in PERS.<sup>2</sup> As part of this procedure, each employer must send a notice of the right to seek a determination to each individual providing personal services who was not classified as a public employee.

The act changes certain deadlines as follows:

(1) Delays until September 7, 2013 (from March 7, 2013), the date by which each employer must send notices of the right to seek a determination;

(2) Delays until August 7, 2014 (from January 7, 2014), the date by which an individual must submit to PERS a request for PERS to determine whether the individual should have been classified as a public employee.

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## HISTORY

| ACTION                                      | DATE     |
|---|----------|
| Introduced                                  | 02-20-13 |
| Reported, H. Health & Aging                 | 02-27-13 |
| Passed House (96-0)                         | 02-27-13 |
| Reported, S. State Gov't Oversight & Reform | 03-06-13 |
| Passed Senate (33-0)                        | 03-06-13 |

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<sup>1</sup> R.C. 145.01(A).

<sup>2</sup> R.C. 145.037.

