



# Ohio Legislative Service Commission

## Bill Analysis

Jeffery A. Bernard

### H.B. 67

130th General Assembly  
(As Passed by the House)

**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, Palenda, Phillips, Pillich, Ramos, Retherford, Rogers, Rosenberger, Ruhl, Sears, Smith, Sprague, Stebelton, Stinziano, Terhar, Thompson, Wachtmann, Young, Batchelder

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## BILL 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 an individual should have been classified as a public employee for purposes of PERS membership.
- Declares an emergency.

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## CONTENT AND OPERATION

The bill 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 bill extends the date of both of the following:

(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

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<sup>1</sup> R.C. 145.01.

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

