



Ohio Administrative Code Rule 145-1-88 Changes to election to participate.

Effective: January 1, 2022

(A) This rule amplifies section 145.814 of the Revised Code and section 2.03 of the combined and member-directed plan documents.

(B) As used in this rule and rules 145-1-89, 145-2-18, and 145-3-40 of the Administrative Code:

(1) "Eligible member" has the same meaning as in section 145.814 of the Revised Code and includes a member who was not eligible to make an election under section 145.19 or 145.191 of the Revised Code due to the member's status as a law enforcement or public safety officer and who is not currently contributing as a law enforcement or public safety officer;

(2) "Amount on deposit" means the sum of the amounts available to a member to purchase service credit in the member's new plan as described in section 6.01 of the combined plan or section 6.01 or 6.02 of the member-directed plan.

(C)

(1) As used in this rule, "total service credit" means the sum of a member's service credit in the traditional pension plan, service credit in the combined plan, and contributing months in the member-directed plan.

(2) Subject to the requirements of this rule and rule 145-1-89 of the Administrative Code, in addition to the enrollment period described in sections 145.19 and 145.191 of the Revised Code, an eligible member who is actively contributing to the retirement system may elect to participate in a different plan as follows:

(a) For elections effective on or before July 1, 2015, during the following periods of service as a public employee:



- (i) Once prior to attaining five years of total service credit;
- (ii) Once after attaining five and prior to attaining ten years of total service credit;
- (iii) Once after attaining ten years of total service credit.

An election that is not used within the specified time period may not be made in a subsequent time period.

(b) For elections effective on and after August 1, 2015, once at any time prior to retirement under any of the plans defined in rule 145-1-81 of the Administrative Code or a refund from the member's current plan.

(c) For elections effective on and after January 1, 2022, an eligible member will no longer be permitted to elect to participate in the combined plan.

(D) Except as provided in rule 145-1-89 of the Administrative Code, an election under this rule applies only to employer and employee contributions made after the effective date of the election.

(E) An election to transfer to the traditional pension plan under section 10.03(a) of the combined plan document for the payment of a disability benefit is irrevocable. Any member that returns to service as a public employee following receipt of a disability benefit shall remain a member of the traditional pension plan and is not eligible to make an election under paragraph (C) of this rule.