



Ohio Administrative Code

Rule 3309-1-70 Contribution based benefit cap.

Effective: [May 11, 2026](#)

(A) As used in this rule:

(1) "Retirement allowance" has the same meaning as defined in division (A) of section 3309.363 of the Revised Code.

(2) "CBBC" has the same meaning as defined in division (A) of section 3309.363 of the Revised Code.

(B) The calculations required by section 3309.363 of the Revised Code shall be made when calculating retirement allowances with effective dates of August 1, 2024, or later.

(C) A retirement allowance with an effective date of August 1, 2024 or later shall not be finalized and granted until after the member's CBBC has been calculated.

(D) When a member's employer has purchased service credit under section 3309.33 of the Revised Code, an amount equal to ten per cent of the member's highest year of compensation multiplied by the years of service credit purchased shall be credited to the member's accumulated contributions.

(E) When a member retires under section 3309.35 of the Revised Code and school employees retirement system is the paying system, contributions used to fund a disability benefit under section 145.36 or 3307.63 of the Revised Code shall be included in the value of the member's accumulated contributions for purposes of division (C) of section 3309.363 of the Revised Code.

(F) When a member receives service credit under section 3309.02 of the Revised Code for a period of military service, an amount for each year of credited military service shall be imputed into the value of the member's accumulated contributions for purposes of calculating the CBBC under division (C) of section 3309.363 of the Revised Code. The amount for each year of credited military service shall be determined by the member rate of contribution in effect at the time the military service began multiplied by the compensation earned by the member during the first year of service covered by the school employees retirement system, public employees retirement system, or state teachers retirement system following return from military service.