



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 462
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Ghanbari

Christopher Edwards, Attorney

SUMMARY

- Makes law enforcement and public safety officers who retire from the Public Employees Retirement System (PERS) eligible for PERS health care coverage on retirement if the PERS Board provides health care coverage.
- Requires the Board to provide health care coverage to those officers on the same terms and at the same cost as to other individuals determined eligible for health care coverage.

DETAILED ANALYSIS

Health care coverage for PERS law enforcement and public safety officers

The Public Employees Retirement System (PERS) provides health care coverage to qualifying retirees, and must adopt rules to establish eligibility for that coverage. Since PERS may, but is not required to, provide health care coverage, it can change eligibility for coverage as it considers appropriate. Under the bill, if the PERS Board provides health care coverage, a retired PERS law enforcement or public safety officer is eligible for that coverage on retirement regardless of whether the officer meets the eligibility requirements established in rules adopted by the PERS Board. Health coverage provided to those officers must be provided on the same terms and at the same cost as to an individual determined eligible for health coverage in accordance with the Board's rules.¹

Under current PERS rules, a retiree who retired on or after January 1, 2015, is eligible for health coverage if the retiree meets either of the following requirements:

¹ R.C. 145.585, by reference to R.C. 145.332 and 145.58, not in the bill.

1. The retirant has attained age 60 and accrued at least 20 years of service credit;
2. The retirant is any age and, depending on when the member is or will be eligible to retire, has accrued at least 30, 31, or 32 years of service credit.²

PERS has special retirement and benefit provisions for PERS members who are law enforcement or public safety officers. The distinction between law enforcement and public safety officers is that to be considered a PERS law enforcement officer, a member's primary duties must be to preserve the peace, protect life and property, and enforce Ohio laws. A member may retire with service credit as a law enforcement or a public safety officer, or with combined credit as a law enforcement and public safety officer.³

The bill applies to a law enforcement or public safety officer who retires from PERS and is eligible for an unreduced retirement benefit – thus, the officer retires with at least 25 years of service credit and meets the applicable minimum age requirement. The minimum age at which an officer is eligible to retire depends on the retirement group to which the officer belongs, which is based on when the officer is or will be eligible to retire under continuing law.⁴ The following table shows each retirement group's minimum age and service eligibility requirements for the officers who are subject to the bill:

Age and service retirement eligibility requirements ⁵						
Law enforcement/public safety	Group A		Group B		Group C	
	Age	Service	Age	Service	Age	Service
Law enforcement	48	25	50	25	52	25
Public safety	52	25	54	25	56	25
Law enforcement and public safety	52	25	54	25	56	25

² Ohio Administrative Code (O.A.C.) 145-4-06 and Ohio Public Employees Retirement System, *Law Enforcement/Public Safety Officers*, <https://www.opers.org/pubs-archive/leaflets/2019-03-ISL-E-Law-Enforcement-Public-Safety-Officers.pdf>.

³ R.C. 145.01 and 145.332, not in the bill.

⁴ The groups are as follows: Group A (members who were eligible not later than January 7, 2018), Group B (members who are or will be eligible not later than January 7, 2023), and Group C (all other members) (R.C. 145.332).

⁵ R.C. 145.332(A) to (C), not in the bill, and Ohio Public Employees Retirement System, *Law Enforcement/Public Safety Officers*, <https://www.opers.org/pubs-archive/leaflets/2019-03-ISL-E-Law-Enforcement-Public-Safety-Officers.pdf>.

Example

In this example, Roger is a 50-year-old PERS law enforcement officer who has accrued 25 years of service credit and is eligible to retire from PERS with an unreduced retirement benefit (he is in the Group B coverage group).⁶ Under the bill, Roger is eligible for PERS health coverage on retirement on the same terms and at the same cost as to other individuals determined eligible for PERS health coverage in accordance with the Board's rules.⁷ Currently, if Roger retires at age 50 with 25 years of service credit, he is not eligible for PERS health coverage until he reaches age 60.⁸

HISTORY

Action	Date
Introduced	01-02-20

H0462-I-133/ts

⁶ R.C. 145.332(B), not in the bill.

⁷ R.C. 145.585.

⁸ O.A.C. 145-4-06.