
RETIREMENT SYSTEMS

- Transfers the administration of the Ohio Public Employees Deferred Compensation Program from the Ohio Public Employees Deferred Compensation Board (DC Board) to the PERS Board, and abolishes the DC Board.
- Excludes from PERS membership a person whose only service as a public employee is, and who receives any compensation for service during a calendar year as, a precinct election official (election worker), rather than excluding a person who is paid less than a specified amount as under current law.
- Permits, beginning one year after the provision's effective date, a public college or university to allow an academic or administrative employee who elects to participate in an alternative retirement plan to sign the election or a form to change providers by electronic signature.

Ohio Public Employees Deferred Compensation Program

(R.C. 145.091, 148.02, and 148.021, with conforming changes in R.C. 101.82, 101.83, 145.09, 148.01, 148.04, 148.041, 148.042, 148.05, 148.10, 2329.66, 2907.15, 2921.41, 3105.171, and 3105.63; Section 525.40)

The bill transfers the administration of the Ohio Public Employees Deferred Compensation Program from the Ohio Public Employees Deferred Compensation Board (DC Board) to the PERS Board. The program is a voluntary retirement savings plan that allows public employees to save and invest their payroll contributions to supplement a retirement plan.¹⁴⁸ Currently, the DC Board consists of a member of the House, a member of the Senate, and the PERS Board members. The bill authorizes the PERS Board to use its employees, property, and powers granted to it under continuing law to administer the program. All employees of the DC Board are transferred to PERS and retain their positions and all associated benefits.

The bill abolishes the DC Board on the transfer provision's effective date. Under the bill, whenever the DC Board, its Executive Director, or any variation of those terms are used, referred to, or designated in any statute, rule, contract, grant, or other document, the use, reference, or designation is deemed to refer to the PERS Board or the PERS Executive Director. All records, assets, and liabilities of the DC Board are transferred to the PERS Board. The PERS Board is successor to, and assumes the obligations of, the DC Board. The PERS Board or the PERS Executive Director must complete any business commenced, but not completed by, the DC Board or its Executive Director. The business must be completed in the same manner, and with the same effect, as if completed by the DC Board or its Executive Director. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired because of the transfer.

¹⁴⁸ See [Frequently Asked Questions](#), which may be accessed by selecting the "FAQ" link on the Ohio Public Employees Deferred Compensation Program's website: ohio457.org.

The transfer does not affect any action or proceeding pending on the transfer provision's effective date. Any action or proceeding must be prosecuted or defended in the name of the PERS Board or the PERS Executive Director. In all actions or proceedings, the PERS Board or the PERS Executive Director, on application to the court, must be substituted as a party.

The bill specifies that the Ohio Public Employees Deferred Compensation Receiving Account is a legal entity that is separate from the various funds created under continuing law to pay for retirement and other benefits under PERS.

Precinct election officials excluded from PERS

(R.C. 145.012)

The bill excludes a person from PERS membership if the person's only service as a public employee during a calendar year is as a precinct election official (election worker) and the person received compensation for that service during the calendar year.¹⁴⁹ Under current law, a person is not a PERS member if the person is employed as an election worker and paid less than \$600 during a calendar year, or less than \$1,000 during a calendar year in which more than one primary election and one general election are held.

Alternative retirement plan election or provider change

(R.C. 3305.05 and 3305.053; Section 820.100)

The bill permits, beginning one year after the provision's effective date, a public college or university to allow an employee who elects to participate in an alternative retirement plan (ARP) to sign the election or a form to change investment option providers by electronic signature. Under continuing law, a full-time employee of a public college or university may elect to participate in an ARP, rather than the state retirement system that would otherwise cover the employee, by submitting a written election to the designated officer of the college or university. An ARP is a defined contribution plan that provides retirement and death benefits to participants through investment options. A college or university enters into an agreement with one or more private providers to administer investment options under an ARP.¹⁵⁰

¹⁴⁹ By reference to R.C. 3501.22 and 3501.28, not in the bill.

¹⁵⁰ R.C. 3305.02 and 3305.04, not in the bill.