



f the Revised Code is not properly s of persons therein assembled, or the extinguishment of fire at or in that it is such as to endanger the om fire or other cause, he shall, in agent in charge thereof, and the ich structure is located in a municipi- attorney of the county wherein it is itions, and appliances necessary to

TENDENT of the division of work- COMPLIANCE shall make inspec- 34 of the Revised Code, as often as ecessary, or upon the written de- ctures, or upon the written request corporation, county, or township in inspectors shall have access to such NSIDERED necessary to inspect

l promptly pay the amount due on y the board of trustees of the police id. Upon certification by the board l liability has not been paid within t is due, a penalty of five per cent of nst such employer. If the payment a ninety days following the date a er cent shall be assessed against the the payment is due.

to the ~~director~~ SUPERINTEN- auditor of an amount due from any ter by reason of such employer's e accrued liability, the amount due om liquor control permit fees to be g to Chapter 4301. of the Revised id allocated for distribution to that ission in accordance with Chapter ceipt of the certification from the ENT or county auditor shall provide r of the police and firemen's disabil- amount due and any penalty and

s of the police and firemen's disabil- for the management of the firemen for disbursements of benefits as set

f the police and firemen's disability ay patrol retirement system, or a ment system who at the time of his

THE MEMBER'S death was a county sheriff or deputy sheriff, a full-time regular police officer in a municipal corporation or township, a full-time regular fireman employed by the state, an instrumentality of the state, a municipal corporation, a township, a joint fire district, or another political subdivision, a full-time park district ranger or patrol trooper, a full-time law enforcement officer of the department of natural resources, a full-time liquor control investigator ~~of the enforcement division or the intelligence division of the department of liquor control~~ PUBLIC SAFETY, a full-time law enforcement officer of parks, waterway lands, or reservoir lands under the control of a municipal corporation, a full-time law enforcement officer of a conservancy district, a correction officer at an institution under the control of a county, a group of counties, a municipal corporation, or the department of rehabilitation and correction, a state university law enforcement officer, or a member of a retirement system operated by a municipal corporation who at the time of his death was a full-time law enforcement officer of parks, waterway lands, or reservoir lands under the control of the municipal corporation.

(2) Notwithstanding section 742.01 of the Revised Code, "fire or police department" includes a fire department of the state or an instrumentality of the state or of a municipal corporation, township, joint fire district, or other political subdivision, the state highway patrol, a county sheriff's office, the security force of an institution under the control of the department of rehabilitation and correction, the security force of a jail or workhouse under the control of a county, group of counties, or municipal corporation, the security force of a metropolitan, county, or township park district, the security force of lands under the control of the department of natural resources, the security force of liquor control investigators ~~of the enforcement division and the intelligence division of the department of liquor control~~ PUBLIC SAFETY, the security force of parks, waterway lands, or reservoir lands under the control of a municipal corporation, the security force of a conservancy district, the police department of a township or municipal corporation, and the police force of a state university.

(3) "Fireman or policeman" includes a state highway patrol trooper, a county sheriff or deputy sheriff, a correction officer at an institution under the control of a county, a group of counties, a municipal corporation, or the department of rehabilitation and correction, a policeman employed by a township or municipal corporation, a fireman employed by the state, an instrumentality of the state, a municipal corporation, a township, a joint fire district, or another political subdivision, a full-time park district ranger or patrolman, a full-time law enforcement officer of the department of natural resources, a full-time liquor control investigator ~~of the enforcement division or the intelligence division of the department of liquor control~~ PUBLIC SAFETY, a full-time law enforcement officer of parks, waterway lands, or reservoir lands under the control of a municipal corporation, a full-time law enforcement officer of a conservancy district, and a state university law enforcement officer.

(4) "Correction officer" includes, in addition to any correction officer, any correction corporal, sergeant, lieutenant, or captain, and the equivalents of all such persons.

(5) "A park district ranger or patrolman" means a peace officer commissioned to make arrests, execute warrants, and preserve the peace upon lands under the control of a board of park commissioners of a metropolitan, county, or township park district.

(6) "Metropolitan, county, or township park district" means a park district created under the authority of Chapter 511, or 1545, of the Revised Code.

(7) "Conservancy district" means a conservancy district created under the authority of Chapter 6101, of the Revised Code.

(8) "Law enforcement officer" means an officer commissioned to make arrests, execute warrants, and preserve the peace upon lands under the control of the governmental entity granting the commission.

(9) "Department of natural resources law enforcement officer" includes a forest officer designated pursuant to section 1503.29 of the Revised Code, a preserve officer designated pursuant to section 1517.10 of the Revised Code, a wildlife officer designated pursuant to section 1531.13 of the Revised Code, a park officer designated pursuant to section 1541.10 of the Revised Code, and a state watercraft officer designated pursuant to section 1547.521 of the Revised Code.

(10) "Retirement eligibility date" means the last day of the month in which a deceased member would have first become eligible, had he THE MEMBER lived, for the retirement pension provided under section 145.33, division (C)(1) of section 742.37, or division (A)(1) of section 5505.17 of the Revised Code or provided by a retirement system operated by a municipal corporation.

(B) A spouse of a deceased member shall receive a death benefit each month equal to the full monthly salary received by the deceased member prior to the member's death, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation, and also shall receive any increases in salary that would have been granted to the deceased, provided that the deceased member was a fireman or policeman killed in the line of duty or who died of injuries sustained in the line of duty. The spouse of such a deceased member shall receive this benefit during the spouse's natural life until the earlier of the deceased member's retirement eligibility date or the spouse's remarriage, on which date the benefit provided under this division shall terminate.

(C)(1) If a member dies in the line of duty as a fireman or policeman or from injuries sustained in the line of duty as a fireman or policeman including heart attacks or other fatal injuries or illnesses caused while in the line of duty, and is survived only by a child or children, then the child or children shall receive a benefit each month equal to the full monthly salary received by the deceased member prior to the member's death minus an amount equal to the benefit or benefits received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit or benefits received from a retirement system operated by a municipal corporation and also shall receive any increases in salary which would have been granted to the deceased. If there is more than one surviving child, the benefit shall be divided equally among these children. When the child

reaches the age of eighteen, the benefit shall terminate. If the child dies because of physical or mental disability, the benefit shall continue. In any case the benefit shall continue until the child reaches the age of twenty-five. Benefits under this division, however, shall not be paid to an unmarried child under age twenty-five who is attending an institution of learning or training until the child has completed in each school year the equivalent of a full-time curriculum requirements of a board of trustees of the fund.

(2) Notwithstanding division (C), benefits paid under this division shall terminate on the date of the member's retirement eligibility date.

(D) If a member dies in the line of duty from injuries sustained in the line of duty and is survived by both a spouse and a child, the benefits provided shall be as follows:

(1) If there is a surviving spouse, the surviving spouse receives an amount equal to the full monthly salary received by the deceased member prior to the member's death, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation. If the surviving child receives an amount equal to the full monthly salary received by the deceased member prior to the member's death, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation.

(2) If there is a surviving spouse and a child, the surviving spouse receives an amount equal to the full monthly salary received by the deceased member prior to the member's death, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation. The surviving child receives a benefit, which is equal to the full monthly salary received by the deceased member prior to the member's death, plus any increases in salary which would have been granted to the deceased, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefits received from a retirement system operated by a municipal corporation.

(3) Notwithstanding divisions (1) and (2), benefits paid under this division shall terminate on the earlier of the member's retirement eligibility date or the member's remarriage. Death benefits paid to a surviving child shall terminate on the date of the child's earlier terminated pursuant to division (1) or (2).

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reaches the age of eighteen, the benefit shall terminate unless the child, because of physical or mental disability, is unable to support himself, in which case the benefit shall continue until the disability is removed. Benefits under this division, however, shall continue to be paid to an unmarried child under age twenty-two who is a student in and attending an institution of learning or training pursuant to a program designed to complete in each school year the equivalent of at least two-thirds of the full-time curriculum requirements of the institution, as determined by the board of trustees of the fund.

(2) Notwithstanding division (C)(1) of this section, all death benefits paid under this division shall terminate on the deceased member's retirement eligibility date.

(D) If a member dies in the line of duty as a fireman or policeman or from injuries sustained in the line of duty as a fireman or policeman, and is survived by both a spouse and a child or children, then the monthly benefit provided shall be as follows:

(1) If there is a surviving spouse and one surviving child, then the spouse receives an amount equal to one-half of the full monthly salary received by the deceased member prior to the member's death, plus any increases in the salary which would have been granted to the deceased, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation, and the child receives an amount equal to one-half of the full monthly salary received by the deceased member prior to the member's death, plus any increases in salary which would have been granted to the deceased, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation.

(2) If there is a surviving spouse and more than one child, then the spouse receives an amount equal to one-third of the full monthly salary received by the deceased member prior to the member's death, plus any increases in salary which would have been granted to the deceased, minus an amount equal to the benefit received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefit received from a retirement system operated by a municipal corporation, and the children receive a benefit, which is equally divided among them, equal to two-thirds of the full monthly salary received by the deceased member prior to the member's death, plus any increases in salary which would have been granted to the deceased, minus an amount equal to the benefits received under section 145.45, 742.37, 742.3714, or 5505.17 of the Revised Code or the benefits received from a retirement system operated by a municipal corporation.

(3) Notwithstanding divisions (D)(1) and (2) of this section, death benefits paid under this division to a surviving spouse shall terminate at the earlier of the member's retirement eligibility date or the spouse's remarriage. Death benefits paid to a surviving child or children shall terminate on the deceased member's retirement eligibility date unless earlier terminated pursuant to division (C) of this section.



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A death benefit, or portion of a death benefit, payable to a surviving child under this division shall be reduced by an amount equal to any allowance or benefit payable to that child under section 742.3714 of the Revised Code, but the reduction in that child's benefit shall not affect the amount payable to any other surviving child entitled to a portion of the death benefit.

(H) The termination, or reduction in amount of, any survivor's portion of a death benefit that has been divided among two or more survivors pursuant to division (C), (D), or (G) of this section shall not affect the amount payable to the other survivors entitled to a portion of the death benefit.

(I) Acceptance of any death benefit under this section does not prohibit a spouse or child from receiving other benefits provided under the police and firemen's disability and pension fund, the state highway patrol retirement system, the public employees retirement system, or a retirement system operated by a municipal corporation.

(J) No person shall receive a benefit under this section if any of the following occur:

(1) The person fails to exercise the right to a monthly survivor benefit under division (A) or (B) of section 145.45, division (D), (E), or (F) of section 742.37, or division (A)(3), (4), or (7) of section 5505.17 of the Revised Code; to a monthly survivor benefit from a retirement system operated by a municipal corporation; or to a retirement allowance under section 742.3714 of the Revised Code.

(2) The member's accumulated contributions under this chapter or Chapter 145. or 5505. of the Revised Code are refunded unless the member had been a member of the public employees retirement system and had fewer than eighteen months of total service credit at the time of death.

(3) In the case of a full-time park district ranger or patrolman, a full-time law enforcement officer of the department of natural resources, a full-time law enforcement officer of parks, waterway lands, or reservoir lands under the control of a municipal corporation, a full-time law enforcement officer of a conservancy district, a correction officer at an institution under the control of a county, group of counties, or municipal corporation, or a member of a retirement system operated by a municipal corporation who at the time of his death was a full-time law enforcement officer of parks, waterway lands, or reservoir lands under the control of the municipal corporation, the member died prior to April 9, 1981, in the case of a benefit under division (B), (C), or (D) of this section, or prior to January 1, 1980, in the case of a benefit under division (E) of this section.

(4) In the case of a full-time liquor control investigator of the enforcement division or the intelligence division of the department of liquor control, PUBLIC SAFETY, the member died prior to December 23, 1986.

Sec. 1101.01. As used in Chapters 1101. to 1129. of the Revised Code, unless the context otherwise requires: