Rules

August 13, 2026

OP&F

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742-3-17 **Withdrawal of application for service retirement or disability benefits.**

(A) For a member of Ohio police and fire pension fund ("OP&F") who wishes to withdraw an application for service retirement or disability benefits, the provisions of paragraph (B) or (C) of this rule shall govern, depending on which paragraph applies to the particular situation. For pending disability benefit applications, the withdrawal of the application is also governed by paragraph (C)(6) of rule 742-3-05 of the Administrative Code.

(B) In cases where OP&F has not issued a warrant for the payment of the benefit or made a payment of the benefit through direct deposit, the member can withdraw the application for service retirement or disability benefits by filing a written statement authorizing OP&F to withdraw the application.

(C) In cases where OP&F has already issued a warrant for the payment of the benefit, whether on an interim or final payment basis, whichever is the first to occur, the member shall return the first warrant and any subsequent warrants uncashed to OP&F. For benefit payments made through direct deposit, OP&F must be able to reverse the electronic funds transfer from the member's financial institution. The member shall also file with OP&F a written statement authorizing OP&F to withdraw the application for benefits and revoke any direct deposit authorization. The member's written statement, uncashed warrants, and return of payments made through direct deposit shall be received by OP&F no later than thirty days after the date on which the first warrant was sent to the member or deposited into the member's account by OP&F.

(D) For a member of OP&F who fails to withdraw the application for service retirement or disability benefits in accordance with paragraph (B) or (C) of this rule, such person will be deemed to have accepted the benefit and no withdrawal will be permitted. In the case of disability benefit recipients, they will be prohibited from applying for any new, changed, or different benefit, except as expressly provided for in division (D)(5) of section 742.38 of the Revised Code.

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742-5-07 **Service credit purchases and transfers.**

(A) For purposes of sections 742.21 and 742.251 of the Revised Code, a "purchase" shall mean that the Ohio police and fire pension fund ("OP&F") member withdrew his/her contributions from the applicable retirement system or out-of-state or local government and a "transfer" shall mean that the OP&F member maintained his/her contributions with the applicable retirement system.

(B) For purposes of divisions (B) and (C) of section 742.21 of the Revised Code, "amount withdrawn" shall mean contributions paid by the member to the applicable retirement system for service credit, which are later withdrawn from that retirement system by the member, but shall not include interest paid to the member on such contributions by the withdrawing retirement system. In no event, however, shall this definition impact OP&F's right to the payment of interest according to that section the Revised Code.

(C) For purposes of determining whether an OP&F member is not receiving a pension or benefit payment, as outlined in sections 742.21 and 742.251 of the Revised Code, OP&F will rely upon its books and records.

(D) For purposes of determining "full-time service," OP&F shall request the employer and the member to certify the full-time service, but in any event, OP&F will determine that the contributing credit was for "full-time service." In order for the service to be "full-time", as provided for in divisions (A) and (B) of section 742.01 of the Revised Code: (1) the service credit to be purchased or transferred must have been rendered while employed in a full-time public position; and (2) the individual must meet the criteria for "full-time contributing service," as outlined in rule 742-5-03 of the Administrative Code. OP&F will prorate service credit for a member if the overall service is determined by OP&F to be full-time for occasions when the member failed to be compensated the minimum number of hours per week as set forth in paragraph (A)(2) of rule 742-5-03 of the Administrative Code.

(E) As required by section 742.21 of the Revised Code, in no event can credit be purchased or directly transferred for employment in a part-time position. For purposes of meeting the definition of "full-time service" in section 742.21 of the Revised Code and this rule, periods of service in part-time positions cannot be combined to equal "full-time service."

(F) Credit may not be purchased or directly transferred for periods of employment concurrent with any employment for which the member has already received OP&F service credit.

(G) Subject to the other provisions of this rule, an OP&F member who is not receiving a pension or benefit payment from OP&F may purchase qualifying service credit for periods of full-time service in a full-time public position as a member of a state or municipal retirement system in the state of Ohio, provided that such service credit has been canceled by the system in which it was earned.

(H) Subject to the provisions of section 742.251 of the Revised Code and the other provisions of this rule, an OP&F member who is not receiving a pension or benefit payment from OP&F may purchase qualifying service credit for periods of full-time service in a full-time public position as an employee of an entity of an out-of-state or local government, or of an entity of the United States government, provided that such service credit is not used in the calculation of any public or private retirement benefit, other than federal social security benefits.

A member who chooses to purchase service credit under this paragraph rather than transferring the qualifying service credit under paragraph (I) of this rule is entitled to be granted service credit for periods of active duty military service, as provided for in section 742.521 of the Revised Code.

(I) To initiate the transfer of eligible service credit to OP&F under section 742.21 of the Revised Code, the member shall initiate the request with the transferring retirement system. Within a reasonable time from OP&F's receipt of the ledger of contributions and the employer address from the transferring system, OP&F will send a transfer packet to the member containing a certification to be completed and signed by the member and a certification to be completed by the employer where the service credit that is being transferred was earned. The certification forms should be returned together to OP&F. Upon receipt of this information, OP&F will then review the certifications and ledger information and notify the transferring system of the eligible service credit that should be transferred pursuant to section 742.21 of the Revised Code. In the event that the transferring system transfers monies to OP&F without OP&F's review and approval, OP&F reserves the right to reject service credit that does not meet the criteria for "full-time," as outlined in this rule.

(J) To initiate the purchase of eligible service credit from OP&F, the member shall notify OP&F to request a cost to purchase the service credit. Within a reasonable time period of such notice, OP&F will send the member a purchase packet containing a certification to be completed and signed by the member and a certification to be completed by the member's employer(s) where the purchasable service credit was earned. The certification forms should be returned together to OP&F. Notwithstanding these certifications, OP&F will review the documentation and determine if the service is "full-time," as required by section 742.21 of the Revised Code, and as more fully outlined in this rule. Once OP&F determines the service credit meets the statutory and administrative requirements, OP&F will provide the eligible member with a cost statement. Once the member purchases the service credit, OP&F will bill the former system for monies associated with the purchase, as required by section 742.21 of the Revised Code. In the event that the former system pays the monies to OP&F without OP&F's review and approval, OP&F reserves the right to reject service credit that does not meet the criteria for "full-time," as outlined in this rule.

(K) For purposes of division (K) of section 742.21 of the Revised Code, purchased service credit not only includes purchased service credit, but it shall also include service credit transferred by the Cincinnati retirement system, a non-uniform retirement system, or the other uniform retirement system to OP&F.

(L) The interest rate charged for the purchase of civilian service credit shall be the actuarial interest assumption adopted by the board.

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742-7-15 **Delinquent employers payment plan.**

(A) For outstanding fines and penalties due under sections 742.352 and/or 742.353 of the Revised Code, OP&F shall offer a delinquent employer a payment plan if the employer meets the following criteria:

(1) The employer has no past due employee contributions; and

(2) The employer has satisfied any pre-existing payment plan promissory note; and

(3) The employer meets one of the following criteria:

(a) Employers on fiscal watch or fiscal emergency, as defined by the auditor of state, and who have past due contributions or have accrued reporting and/or pre-employment penalties and interest; or

(b) Employers who have accrued reporting and/or pre-employment penalties and interest which exceed the dollar amount of past due employer contributions, which have been past due for three or more quarters; or

(c) Employers who are inactive and have past due employer contributions, penalties, or interest; or

(d) Employers who have employer contributions that are three or more quarters past due and have no ability to pay (based on the financial formulas outlined below).

(i) Penalties and interest exceed twenty-five per cent of general fund revenues; or

(ii) Penalties and interest exceed eighty per cent of general fund ending fund balance; or

(iii) Penalties and interest exceed fifty per cent of general fund receipt over expenditures.

(B) The offering of this plan of payment by OP&F will precede any actions taken by OP&F to certify the amount due from the employer in accordance with section 742.35 of the Revised Code.

(C) The plan of payment shall be offered to the employers who meet the criteria outlined in paragraph (A) of this rule in accordance with the following provisions:

(1) OP&F will review the eligibility of certain employers who may be able to take advantage of a payment plan. OP&F will notify those employers of the program and request that such employers contact OP&F for additional information.

(2) For any inquiries received from employers, OP&F will notify such employers of their eligibility to participate in a payment plan.

(3) OP&F shall designate a deadline by which the employer must elect to participate in the payment plan and sign the required documentation and if the employer fails to meet the deadlines, the payment plan will not be available to the employers and penalties and interest will continue to accrue.

(4) The employer will have several payment term options in order to permit the employer to choose the best option within the employer's budget considerations, but in no event will the term exceed fifteen years.

(5) The employer must sign a promissory note and agreement that will require signature by the designated authorities/officers of the municipality.

(6) As a condition to participating, the employer must pay in full all past accumulated interest incurred to date to OP&F. Should the employer be unable to remit the interest accrued in full, and all other conditions are met, the board will permit the employer to enter into the payment plan, however the employer's payments will be first applied to the accrued interest portion and then to the past due balance related to contributions and penalties. Interest on those past due balances and penalties will apply until the remaining balance is fully satisfied and based on the repayment term. The total repayment term is limited to the provisions otherwise outlined in paragraph (C)(4) of this rule.

(7) Upon OP&F's receipt of the required documents from the employer, further penalties will be suspended in exchange for the time certain repayment of funds due to OP&F made on a regular, periodic basis (monthly) as outlined on the payment schedule.

(8) For active employers who are participating in full compliance with the payment plan, the payment for regular quarterly bills will continue as normal and the billing statement will remove any reference to the unpaid penalties and interest covered under this arrangement unless the employer defaults.

(9) Interest will be calculated on accumulated penalty balance based on payment term selected. The balance due (penalty and interest) is to be amortized and repaid within the terms of the promissory note at the actuarial assumed rate of interest.

(10) The employer will be given strict payment dates with a fifteen day grace period for late payments. Further, each employer will only be allowed two late payments in any twelve calendar months. Employers will be notified of their late payment and failure to conform to promissory note terms on each occurrence may trigger a default covered by paragraph (D) of this rule.

(D) Failure to comply with the terms of the signed promissory note and agreement as described in paragraph (C) of this rule will put the employer in default status and OP&F shall terminate the agreement, at its option, and re-establish penalties retroactively back to the effective date of the promissory note, with a reduction of penalties for all payments of principal and interest made under the promissory note. The exercise of OP&F's right to declare a default shall be determined by OP&F's executive director.

(1) Upon default, the employer will be notified of the employer's failure to conform to the terms of the promissory note and agreement as well as OP&F's decision to terminate the agreement.

(2) OP&F will initiate the certification process with the county where the employer resides to collect the balance of funds due to OP&F.

(E) All payments due under a payment plan shall be made as follows:

(1) Payments shall be due on the first of each month.

(2) Payments for active employers shall be sent to OP&F separately and not commingled with normal employer and employee contribution, which are paid quarterly.

(3) There is no prepayment penalty; excess amounts will be applied to principal.

(4) At the end of the term, any overpayments due to prepayment will be refunded back to the employer.

(5) Bounced checks will be charged back to employers with fees consistent with normal OP&F practices.

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742-8-08 **Penalties and interest under section 742.353 of the Revised Code.**

(A) Pursuant to division (C) of section 742.353 of the Revised Code, the penalties assessed under sections 742.351 and 742.38 of the Revised Code shall be as follows:

(1) If a form, report, or statement is at least one but not more than fifteen days past due, one hundred dollars;

(2) If a form, report, or statement is at least sixteen but not more than sixty days past due, five hundred dollars;

(3) If a form, report, or statement is at least sixty-one but not more than one hundred eighty days past due, one thousand dollars;

(4) If a form, report, or statement is at least one hundred eighty-one days past due, three thousand dollars.

The total of the penalties paid by an employer under this paragraph in a calendar year shall not exceed twenty thousand dollars.

(B) Any amount due from an employer under paragraphs (A) of this rule shall be collected from the county auditor in the same manner as is provided in section 742.35 of the Revised Code.

(C) Employers with no more than five members that still have penalties remaining after the application of the penalty structure in paragraph (A) of this rule shall pay an amount not to exceed one thousand five hundred dollars for each failure to transmit the notice or reports in accordance with sections 742.351 and 742.38 of the Revised Code. Such employers shall be eligible to participate in the payment plan outlined in rule 742-7-15 of the Administrative Code to the extent that they require an additional amount of time to repay penalties and interest.

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5505-1-01 **Rule adoption - method of public notice.**

(A) The board shall distribute all adopted rules to

(1) The state highway patrol with instructions to distribute to each facility where members of the state highway patrol retirement system are assigned and

(2) Each recognized statewide organization representing members and/or benefit recipients of the state highway patrol retirement system.

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5505-3-01 Eligibility date of retirement benefits.

(A) For age and service retirement benefits, the eligibility date shall be the date following the last working date as a member, with no duplication of salary and pension.

(B) For reduced retirement benefits, the eligibility date shall be the later of the date following the last working date as a member or the date the member is eligible and elects to receive a reduced retirement benefit, with no duplication of salary and pension.

(C) For disability benefits, the eligibility date shall be the later of the date following the last working date as a member or the date disability benefits are approved by the board, with no duplication of salary and pension.

(D) A member shall apply for benefits on a form prescribed by the board.

(1) A retirement application is considered filed when a completed retirement application has been received by the staff of the retirement system unless the applicant has requested in writing that the application be held until further direction. Upon receipt of the applicant's written intent to activate the application, the application shall be considered to be filed.

(2) Member communications with retirement system staff about the potential filing of a retirement application shall be considered confidential.

(3) The retirement system shall notify the superintendent of the state highway patrol upon the filing of a retirement application.

(4) A member may withdraw a retirement application in writing at any time prior to the retirement board's approval of the application.

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5505-7-01 **Calculation of retirement benefits.**

(A) For the purpose of this rule and divisions (L) and (R) of section 5505.01 of the Revised Code;

(1) "Year" shall mean any calendar year.

(2) In addition to division (R) of section 5505.01 of the Revised Code, “salary” shall not include doubleback, reportback, or standby pay.

(B) Final average salary shall be the average of the highest annual salary paid to a member during any five years of service, which may be nonconsecutive. Final average salary shall be calculated as follows:

(1) Each year's salary shall be calculated as twenty-six consecutive payroll periods, beginning with the first full pay period of the year, multiplied by 1.00275 in order to adjust for three hundred sixty-five days.

(2) Whenever a final average salary computation requires the inclusion of a partial pay period, the average of the pro-rated pay period shall be used.

(3) If the member has a partial year of contributing service in the year the member's employment terminates and the compensation for the partial year is at a rate higher than the rate of compensation for any one of the member's highest five years of compensation, the board shall substitute the compensation for the partial year for the compensation for the same period of time of the lowest of the member's five highest years of compensation.

(C) A retirant on deferred status may elect to receive reduced retirement benefits at any time between the ages of forty-eight and fifty-two.

(D) Final average salary is calculated from employee contributions in accordance with records and data provided by the Ohio department of administrative services and the state highway patrol.

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