



**Ohio
Retirement
Study
Council**

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To: ORSC Members
From: Ohio Retirement Study Council
Date: August 12, 2021 *AB*
Subject: H.B. 110 (Budget bill)

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H.B. 110 (biennial budget bill) contains three provisions relating to the state retirement systems. This memo details only the provisions of the bill affecting the state retirement systems. At its May 13, 2021, meeting, the ORSC approved two changes to House version of the bill regarding (1) extension of remote meetings to all the retirement systems and (2) elective participation in the State and Local Government Expenditure Database by ORSC. These ORSC approved amendments were not part of the final version of the bill. As a result, STRS is the only retirement system that Board members may continue to participate remotely in and the ORSC is required to participate in the State and Local Government Database. Additionally, the bill extended the due date for an actuarial analysis of the Post-Traumatic Stress Fund from October 1, 2021, to December 15, 2021.

State Teachers Retirement System Board Meetings (R.C. 3307.091)

H.B. 110 permits STRS to adopt a board policy that allows STRS Board members to attend meetings through teleconference or video conference. This would be an exception to the Ohio Open Meetings Law, which requires a person to be physically present at a meeting in order to determine quorum requirements or to be able to vote. If a member participates remotely, the bill requires that the board allow members of the public to attend remotely.

The policy must include the number of meetings the member is required to attend in person and that number must be at least half of the regular annual meetings. The policy must also include all of the following:

- 1) That at least a third of the members attending the meeting must be present in person at the physical location where the meeting is conducted;
- 2) That all votes taken at the meeting must be taken by roll call vote;
- 3) That a member who intends to attend a meeting by teleconference or video conference must notify the chairperson of that intent not less than 48 hours before the meeting, except in the case of an emergency as defined in the policy.

In addition, unless otherwise specified in the above requirements, the bill prohibits a person from doing any of the following:

- 1) Limiting the number of Board members who may attend a meeting by teleconference or video conference;
- 2) Limiting the total number of meetings that the Board may allow members to attend by teleconference or video conference;
- 3) Limiting the number of meetings at which any one Board member may attend by teleconference or video conference;
- 4) Imposing other limits or obligations on a Board member because the member attends a meeting by teleconference or video conference.

The ORSC recommended that this provision of the bill be extended to all state retirement systems. This would have permitted all the state retirement system boards, should they elect to do so, to continue to allow board members to participate remotely.

Ohio State and Local Government Expenditure Database

The bill creates the Ohio State and Local Government Expenditure Database. The database will include information related to expenditures of state and local government. Under the bill, an "expenditure" is a payment, distribution, loan, advance, reimbursement, deposit, or gift of money from a state entity to any supplier.

The ORSC recommended that this provision be amended to permit, but not require, the ORSC to provide information to the database. Because this amendment was not incorporated into the final bill, ORSC will be required to participate in the database.

Post-Traumatic Stress Fund

H.B. 308 of the 133rd General Assembly created the Post-Traumatic Stress Fund. That bill also required the Board of Trustees of the Ohio Police & Fire Fund (OP&F) to prepare

a disinterested actuarial valuation of the funding requirements of the PTSD Fund no later than October 1, 2021. Because OP&F did not receive any submissions from disinterested actuarial firms to complete the study, H.B. 110 makes the following changes to the study requirements:

- 1) Extended the due date for the study from October 1, 2021, to December 15, 2021;
- 2) Permits OP&F's actuary to complete the study (i.e. eliminates the disinterested actuarial firm requirement that applied to the study).