

**OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 011 – RETIRMENT CREDIT**

459-011-0115

Military Full Cost Purchase

(1) For the purposes of this rule:

(a) “Armed Forces” means the Army, Navy, Air Force, Marine Corps, ~~and the~~ Coast Guard, Space Force, and the reserve components thereof.

(b) “Full cost” means the actual cost to the system of the retirement credit for military service being purchased, including any applicable administrative fee.

(c) “Military service” means qualifying service as described under section (2) of this rule.

(d) “Uniformed Services” means:

(A) The Armed Forces;

(B) The Army National Guard or the Air National Guard when the employee is on duty as described in ORS 238.156(5)(b)(B);

(C) The commissioned corps of the United States Public Health Service;

(D) The commissioned corps of the National Oceanic and Atmospheric Administration;
and

(E) Any other category of persons designated as “Uniformed Services” by the United States President in time of war or national emergency.

(2) A member who was in active service in the Uniformed Services prior to becoming a member of PERS may purchase up to four years of retirement credit for military service if they:

(a) Were other than dishonorably discharged from the Uniformed Services; and

(b) Entered or reentered active service after January 1, 1950, or were in active service on January 1, 1950.

(3) The member may not purchase retirement credit for any period of service for which the person is receiving, or is eligible to receive, a pension or retirement for service in the Uniformed Services at the time of their effective retirement date.

(4)(a) If the member has reached earliest retirement age, the purchase may be made within 90 days before or after the member’s effective retirement date.

1 (b) If the member has not reached earliest retirement age, the purchase may be made only
2 in the 90 day period immediately before the member's effective retirement date.

3 (5) A member electing to make a full cost purchase may elect to have the service retirement
4 allowance determined under any calculation for which the member is eligible for under
5 ORS 238.300 even if the calculation does not produce the highest retirement allowance.

6 (6) If the cost of the purchase is adjusted and requires an additional payment, PERS will
7 notify the member of the balance due. The member must pay the remainder of the full cost
8 purchase by the later of the date set by PERS or the member's effective retirement date. If
9 the member does not pay the remaining cost, the purchase request will be canceled and
10 PERS will return any payment received to date, subject to the provisions of OAR 459-005-
11 0580.

12 (7) To verify military service, a copy of the member's form DD-214 or other acceptable
13 military discharge or service records must be submitted to PERS with the full cost purchase
14 request.

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16 Statutory/Other Authority: ORS 238.650

17 Statutes/Other Implemented: ORS 238.156 & ORS 238.157

18 History:

19 PERS 2-2019, amend filed 04/01/2019, effective 04/01/2019

20 PERS 9-2006, f. & cert. ef. 4-5-06