

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1717

By: Moore

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 1707, as last amended by Section 14,
9 Chapter 375, O.S.L. 2014 (74 O.S. Supp. 2016, Section
10 1707), which relates to the Oklahoma State Employees
11 Deferred Savings Incentive Plan; increasing
12 participant and employer contribution; and providing
13 an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 74 O.S. 2011, Section 1707, as
16 last amended by Section 14, Chapter 375, O.S.L. 2014 (74 O.S. Supp.
17 2016, Section 1707), is amended to read as follows:

18 Section 1707. A. Effective January 1, 1998, for each qualified
19 participant as defined in this section who is a state employee as
20 defined in this section, the Oklahoma Public Employees Retirement
21 System shall pay each month from funds appropriated or deposited to
22 the Oklahoma State Employees Deferred Savings Incentive Plan Fund
23 created pursuant to this section the sum of ~~Twenty-five Dollars~~
24 ~~(\$25.00)~~ Fifty Dollars (\$50.00) to a plan established pursuant to
the Internal Revenue Code, Section 401(a), for the benefit of the

1 employee; provided, if monies in the fund are insufficient to fully
2 fund the contributions in any month, payments shall be suspended
3 until such time as sufficient monies are available. Employees
4 receiving payroll other than monthly shall have an amount
5 contributed which is equivalent to ~~Twenty-five Dollars (\$25.00)~~
6 Fifty Dollars (\$50.00) per month.

7 B. For the purposes of this section, "qualified participant"
8 means a state employee as defined in this section who is an active
9 participant in the Oklahoma State Employees Deferred Compensation
10 Plan making deferrals of at least ~~Twenty-five Dollars (\$25.00)~~ Fifty
11 Dollars (\$50.00) per month. A qualified participant shall not
12 include an employee who participates in the defined contribution
13 system administered by the Oklahoma Public Employees Retirement
14 System on or after November 1, 2015. Effective July 1, 2000, each
15 qualified participant shall be eligible for a contribution of
16 ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars (\$50.00) to the Oklahoma
17 State Employees Deferred Savings Incentive Plan beginning with the
18 first employee deferral into the Oklahoma State Employees Deferred
19 Compensation Plan. The Director of the Office of Management and
20 Enterprise Services shall be responsible for the provision of such
21 information and assistance as may be necessary to determine which
22 employees are qualified participants and shall provide for
23 appropriate payroll transactions to accomplish contributions to the
24 Oklahoma State Employees Deferred Savings Incentive Plan and the

1 Oklahoma State Employees Deferred Compensation Plan. The Oklahoma
2 Public Employees Retirement System shall be responsible for
3 establishing rules and plan documents for administration of such
4 contributions. Funds so credited shall be held and invested in the
5 same manner as the Oklahoma State Employees Deferred Compensation
6 Plan, as provided in Section 1701 of this title.

7 C. For the purposes of this section, "state employee" means any
8 officer or employee of the executive, legislative, or judicial
9 branches of the government of this state who is an active member of
10 a public retirement system of this state, but does not include:

11 1. Employees of the public elementary, secondary, or area
12 vocational school districts;

13 2. Employees of The Oklahoma State System of Higher Education
14 except employees of the Oklahoma State Regents of Higher Education,
15 employees of the governing boards and employees of the Board of
16 Regents of the University of Oklahoma who are participating members
17 of the Oklahoma Public Employees Retirement System;

18 3. Persons on temporary, student, internship, or other limited-
19 term appointments except for Executive Fellows in the Carl Albert
20 Public Internship Program created in Section 840-3.4 of this title;
21 or

22 4. Persons employed pursuant to Section 1.6a of Title 53 of the
23 Oklahoma Statutes.

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1 D. No public official shall be able to make contributions to
2 the Section 401(a) plan described by this section during a term of
3 office which commenced prior to July 1, 1997. A public official may
4 make contributions to the Section 401(a) plan described by this
5 section during a term of office which commences after July 1, 1997.
6 No legislator shall be eligible to make contributions to the Section
7 401(a) plan described by this section until such contributions have
8 been approved by the Board on Legislative Compensation. The
9 provisions of this subsection shall be applicable only in the event
10 that the Plan permits employee contributions.

11 E. There is hereby created in the State Treasury a revolving
12 fund to be designated the "Oklahoma State Employees Deferred Savings
13 Incentive Plan Fund". The fund shall be a continuing fund, not
14 subject to fiscal year limitations, and shall consist of any monies
15 the Legislature may appropriate or transfer to the fund and any
16 monies contributed for the fund from any other sources, public or
17 private. All monies accruing to the credit of said fund are hereby
18 appropriated and may be budgeted and expended by the Oklahoma Public
19 Employees Retirement System for the matching of deferred
20 compensation contributions pursuant to this section and in
21 accordance with rules promulgated by the Oklahoma Public Employees
22 Retirement System and for reimbursement of expenses for
23 administration of the Deferred Savings Incentive Plan and the
24 Oklahoma State Employees Deferred Compensation Plan. Expenditures

1 from the fund shall be made by warrants issued by the State
2 Treasurer against claims filed as prescribed by law with the
3 Director of the Office of Management and Enterprise Services for
4 approval and payment.

5 F. Effective July 1, 2000, every employer which has state
6 employees participating in the Oklahoma State Employees Deferred
7 Savings Incentive Plan shall pay to the Fund an amount equal to
8 ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars (\$50.00) each month for
9 each qualified participant as defined in this section, along with an
10 amount to reimburse the cost of administration of the Oklahoma State
11 Employees Deferred Savings Incentive Plan and the Oklahoma State
12 Employees Deferred Compensation Plan for each qualified participant,
13 as determined by the Board.

14 1. The Board shall certify each year to the Office of
15 Management and Enterprise Services the determined amount for the
16 administrative cost of the Oklahoma State Deferred Savings Incentive
17 Plan and the Oklahoma State Employees Deferred Compensation Plan
18 which will be required to be paid for each qualified participant.
19 The Board of Trustees shall promulgate such rules as are necessary
20 to implement the provisions of this subsection and provide the
21 methodology for the determination.

22 2. Each employer shall pay at least monthly to the Fund the sum
23 sufficient to satisfy the obligation under this section as certified
24 by the Board.

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3. Each employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which said contribution is paid from or from any other funds available to it for such purpose.

SECTION 2. This act shall become effective November 1, 2017.

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