

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2985

By: Frix

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9 COMMITTEE SUBSTITUTE

10 An Act relating to public retirement systems;  
11 amending 62 O.S. 2011, Section 3103, which relates to  
12 the Oklahoma Pension Legislation Actuarial Analysis  
13 Act; modifying definition; authorizing benefit  
14 increase for certain retired members of the Oklahoma  
15 Firefighters Pension and Retirement System; providing  
16 for offset; authorizing benefit increase for certain  
17 retired members of the Oklahoma Police Pension and  
18 Retirement System; providing for offset; authorizing  
19 retirement benefit increase for certain members of  
20 the Uniform Retirement System for Justices and  
21 Judges; authorizing retirement benefit increase for  
22 certain retired members of the Oklahoma Law  
23 Enforcement Retirement System; providing for offset;  
24 authorizing retirement benefit increase for certain  
retired members of the Teachers' Retirement System of  
Oklahoma; authorizing retirement benefit increase for  
certain retired members of the Oklahoma Public  
Employees Retirement System; providing for  
codification; and providing effective dates.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 3103, is  
amended to read as follows:

1 Section 3103. As used in the Oklahoma Pension Legislation  
2 Actuarial Analysis Act:

3 1. "Amendment" means any amendment, including a substitute  
4 bill, made to a retirement bill by any committee of the House or  
5 Senate, any conference committee of the House or Senate or by the  
6 House or Senate;

7 2. "RB number" means that number preceded by the letters "RB"  
8 assigned to a retirement bill by the respective staffs of the  
9 Oklahoma State Senate and the Oklahoma House of Representatives when  
10 the respective staff office prepares a retirement bill for a member  
11 of the Legislature;

12 3. "Legislative Actuary" means the firm or entity that enters  
13 into a contract with the Legislative Service Bureau pursuant to  
14 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the  
15 actuarial services and other duties provided for in the Oklahoma  
16 Pension Legislation Actuarial Analysis Act;

17 4. "Nonfiscal amendment" means an amendment to a retirement  
18 bill having a fiscal impact, which amendment does not change any  
19 factor of an actuarial investigation specified in subsection A of  
20 Section 3109 of this title;

21 5. "Nonfiscal retirement bill" means a retirement bill which  
22 does not affect the cost or funding factors of a retirement system  
23 or a retirement bill which affects such factors only in a manner  
24 which does not:

- 1 a. grant a benefit increase under the retirement system  
2 affected by the bill except for cost-of-living  
3 adjustments provided to retirees of the retirement  
4 system,
- 5 b. create an actuarial accrued liability for or increase  
6 the actuarial accrued liability of the retirement  
7 system affected by the bill, or
- 8 c. increase the normal cost of the retirement system  
9 affected by the bill except as otherwise provided by  
10 subparagraph a of this paragraph.

11 A nonfiscal retirement bill shall include any retirement bill that  
12 has as its sole purpose the appropriation or distribution or  
13 redistribution of monies in some manner to a retirement system for  
14 purposes of reducing the unfunded liability of such system or the  
15 earmarking of a portion of the revenue from a tax to a retirement  
16 system or increasing the percentage of the revenue earmarked from a  
17 tax to a retirement system~~;~~;

18 6. "Reduction in cost amendment" means an amendment to a  
19 retirement bill having a fiscal impact which reduces the cost of the  
20 bill as such cost is determined by the actuarial investigation for  
21 the bill prepared pursuant to Section 3109 of this title;

22 7. "Retirement bill" means any bill or joint resolution  
23 introduced or any bill or joint resolution amended by a member of  
24 the Oklahoma Legislature which creates or amends any law directly

1 affecting a retirement system. A retirement bill shall not mean a  
2 bill or resolution that impacts the revenue of any state tax in  
3 which a portion of the revenue generated from such tax is earmarked  
4 for the benefit of a retirement system;

5 8. "Retirement bill having a fiscal impact" means any  
6 retirement bill creating or establishing a retirement system and any  
7 other retirement bill other than a nonfiscal retirement bill; and

8 9. "Retirement system" means the Teachers' Retirement System of  
9 Oklahoma, the Oklahoma Public Employees Retirement System, the  
10 Uniform Retirement System for Justices and Judges, the Oklahoma  
11 Firefighters Pension and Retirement System, the Oklahoma Police  
12 Pension and Retirement System, the Oklahoma Law Enforcement  
13 Retirement System, or a retirement system established after January  
14 1, 2006.

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 49-143.7 of Title 11, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Except as provided in subsection B of this section and  
19 except for persons receiving benefits pursuant to Section 49-101 of  
20 Title 11 of the Oklahoma Statutes, effective November 1, 2018, any  
21 person receiving benefits from the Oklahoma Firefighters Pension and  
22 Retirement System as of November 30, 2017, who continues to receive  
23 benefits on or after November 1, 2018, shall receive a four-percent  
24 increase in said benefits on November 1, 2018.

1 B. Any increase in benefits a person is eligible to receive  
2 pursuant to repealed Section 49-136 of Title 11 of the Oklahoma  
3 Statutes after November 30, 2016, shall be used to offset the  
4 increase in benefits provided in subsection A of this section.

5 C. Effective November 1, 2018, any persons receiving benefits  
6 pursuant to Section 49-101 of Title 11 of the Oklahoma Statutes  
7 shall each receive a benefit equal to Seven Dollars and eighty-three  
8 cents (\$7.83) for each year of credited service not to exceed thirty  
9 (30) years of service.

10 SECTION 3. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 50-136.9 of Title 11, unless  
12 there is created a duplication in numbering, reads as follows:

13 A. Except as provided in subsection B of this section, any  
14 person receiving benefits from the Oklahoma Police Pension and  
15 Retirement System as of November 30, 2017, who continues to receive  
16 benefits on or after November 1, 2018, shall receive a four-percent  
17 increase in said benefits on November 1, 2018.

18 B. Any increase in benefits a person is eligible to receive  
19 pursuant to repealed Section 50-120 of Title 11 of the Oklahoma  
20 Statutes, after November 30, 2016, shall be offset by the increase  
21 in benefits, if any, provided by this section.

22 SECTION 4. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1104K of Title 20, unless there  
24 is created a duplication in numbering, reads as follows:

1 Any person receiving benefits from the Uniform Retirement System  
2 for Justices and Judges as of November 30, 2017, who continues to  
3 receive benefits on or after November 1, 2018, shall receive a four-  
4 percent increase in said benefits beginning in November 2018.

5 SECTION 5. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 2-305.12 of Title 47, unless  
7 there is created a duplication in numbering, reads as follows:

8 A. Except as provided in subsection B of this section, any  
9 person receiving benefits from the Oklahoma Law Enforcement  
10 Retirement System as of November 30, 2017, who continues to receive  
11 benefits on or after November 1, 2018, shall receive a four-percent  
12 increase in said benefits beginning in November 2018.

13 B. Any increase in benefits a person is eligible to receive  
14 pursuant to subsection B, C or D of Section 2-305 of Title 47 of the  
15 Oklahoma Statutes, after November 30, 2018, shall be offset by the  
16 increase in benefits, if any, provided by this section.

17 SECTION 6. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 17-116.22 of Title 70, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. Any person receiving benefits from the Teachers' Retirement  
21 System of Oklahoma as of November 30, 2017, other than those  
22 benefits specified in subsection B of this section, who continues to  
23 receive benefits on or after November 1, 2018, shall receive a four-  
24 percent increase in said benefits beginning in November 2018.

1 B. Any person receiving benefits pursuant to subsection (3) of  
2 Section 17-105 of Title 70 of the Oklahoma Statutes whose benefits  
3 commenced prior to November 1, 2017, and who continues to receive  
4 benefits on or after November 1, 2018, shall receive a four-percent  
5 increase in said benefits beginning in November 2018.

6 SECTION 7. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 930.11 of Title 74, unless there  
8 is created a duplication in numbering, reads as follows:

9 Any person receiving benefits from the Oklahoma Public Employees  
10 Retirement System as of November 30, 2017, who continues to receive  
11 benefits on or after November 1, 2018, shall receive a four-percent  
12 increase in said benefits beginning in November 2018.

13 SECTION 8. Section 1 of this act shall become effective  
14 October 1, 2018.

15 SECTION 9. Sections 2 through 7 of this act shall become  
16 effective November 1, 2018.

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18 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated  
19 02/28/2018 - DO PASS, As Amended.  
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