

SENATE FLOOR VERSION

April 9, 2024

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COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3807

By: Burns of the House

and

Garvin of the Senate

[retirement - members of the Oklahoma Law
Enforcement Retirement System - notice -
contributions - transfers to the System - Oklahoma
Pension Legislation Actuarial Analysis Act -
definitions - codification -
emergency]

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 2-300, as
amended by Section 8, Chapter 151, O.S.L. 2023 (47 O.S. Supp. 2023,
Section 2-300), is amended to read as follows:

Section 2-300. As used in Section 2-300 et seq. of this title:

- 1. "System" means the Oklahoma Law Enforcement Retirement System;
- 2. "Act" means Section 2-300 et seq. of this title;
- 3. "Board" means the Oklahoma Law Enforcement Retirement Board of the System;

1 4. "Executive Director" means the managing officer of the
2 System employed by the Board;

3 5. "Fund" means the Oklahoma Law Enforcement Retirement Fund;

4 6. "Participating employer" means any Oklahoma entity with one
5 or more employees who are members of the System;

6 7. a. "Member" means:

7 (1) all commissioned law enforcement officers of the
8 Oklahoma Highway Patrol Division of the
9 Department of Public Safety who have obtained
10 certification from the Council on Law Enforcement
11 Education and Training, and all cadets of a
12 ~~Patrol Academy~~ patrol academy of the Department
13 of Public Safety,

14 (2) law enforcement officers and criminalists of the
15 Oklahoma State Bureau of Investigation,

16 (3) law enforcement officers of the Oklahoma State
17 Bureau of Narcotics and Dangerous Drugs Control
18 designated to perform duties in the investigation
19 and prevention of crime and the enforcement of
20 the criminal laws of this state,

21 (4) law enforcement officers of the Alcoholic
22 Beverage Laws Enforcement Commission designated
23 to perform duties in the investigation and
24

1 prevention of crime and the enforcement of the
2 criminal laws of this state,

3 (5) employees of the Communications Section of the
4 Oklahoma Highway Patrol Division, radio
5 technicians and tower technicians of the
6 Department of Public Safety, who are employed in
7 any such capacity as of June 30, 2008, and who
8 remain employed on or after July 1, 2008, until a
9 termination of service, or until a termination of
10 service with an election of a vested benefit from
11 the System, or until retirement. Effective July
12 1, 2008, a person employed for the first time as
13 an employee of the Department of Public Safety in
14 the Communications Division as an information
15 systems telecommunication technician of the
16 Department of Public Safety shall not be a member
17 of the System,

18 (6) park rangers of the Oklahoma Tourism and
19 Recreation Department and any park manager or
20 park supervisor of the Oklahoma Tourism and
21 Recreation Department, who was employed in such a
22 position prior to July 1, 1985, and who elects on
23 or before September 1, 1996, to participate in
24 the System, and

- 1 (7) inspectors of the State Board of Pharmacy,
- 2 (8) law enforcement support staff of a participating
- 3 agency hired on or after the effective date of
- 4 this act, if so designated by a participating
- 5 employer pursuant to Section 2 of this act, and
- 6 (9) active commissioned or CLEET-certified agents
- 7 hired by the Department of Wildlife Conservation
- 8 on or after the effective date of this act.

9 b. Effective July 1, 1987, a member does not include a

10 "leased employee" as defined under Section 414(n) (2)

11 of the Internal Revenue Code of 1986, as amended.

12 Effective July 1, 1999, any individual who agrees with

13 the participating employer that the individual's

14 services are to be performed as a leased employee or

15 an independent contractor shall not be a member

16 regardless of any classification as a common-law

17 employee by the Internal Revenue Service or any other

18 governmental agency, or any court of competent

19 jurisdiction.

20 c. All persons ~~who shall be~~ offered a position ~~of a~~

21 ~~commissioned law enforcement officer as an employee of~~

22 ~~one of the agencies~~ described in subparagraph a of

23 this paragraph shall participate in the System only

24 upon ~~the person~~ meeting the requisite post-offer-pre-

1 employment ~~physical~~ examination standards which shall
2 be subject to the following requirements:

- 3 (1) all such persons shall be of good moral
4 character, free from deformities, mental or
5 physical conditions, or disease and alcohol or
6 drug addiction which would prohibit the person
7 from performing the duties of a law enforcement
8 officer,
- 9 (2) the physical-medical examination shall pertain to
10 age, sight, hearing, agility and other conditions
11 the requirements of which shall be established by
12 the Board,
- 13 (3) the person shall be required to meet the
14 conditions of this subsection prior to the
15 beginning of actual employment but after an offer
16 of employment has been tendered by a
17 participating employer,
- 18 (4) the Board shall have authority to deny or revoke
19 membership of any person submitting false
20 information in such person's membership
21 application, and
- 22 (5) the Board shall have final authority in
23 determining eligibility for membership in the
24

1 System, pursuant to the provisions of this
2 subsection;

3 ~~7.~~ 8. "Normal retirement date" means the date at which the
4 member is eligible to receive the unreduced payments of the member's
5 accrued retirement benefit. Such date shall be the first day of the
6 month coinciding with or following the date the member:

7 a. completes twenty (20) years of vesting service, or

8 b. attains sixty-two (62) years of age with ten (10)
9 years of vesting service, or

10 c. attains sixty-two (62) years of age, if:

11 (1) the member has been transferred to this System
12 from the Oklahoma Public Employees Retirement
13 System on or after July 1, 1981, and

14 (2) the member would have been vested had the member
15 continued to be a member of the Oklahoma Public
16 Employees Retirement System.

17 With respect to distributions under the System made for calendar
18 years beginning on or after January 1, 2005, the System shall apply
19 the minimum distribution incidental benefit requirements, incidental
20 benefit requirements, and minimum distribution requirements of
21 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
22 in accordance with the final regulations under Section 401(a)(9) of
23 the Internal Revenue Code of 1986, as amended, including Treasury
24 Regulations Sections 1.401(a)(9)-1 through 1.401(a)(9)-9; provided,

1 that for individuals who attain seventy and one-half (70 1/2) years
2 of age after December 31, 2019, but before January 1, 2023, such
3 distributions shall take into account that "age 70 1/2" was stricken
4 and "age 72" was inserted in Sections 401(a)(9)(B)(iv)(I),
5 401(a)(9)(C)(i)(I) and 401(a)(9)(C)(ii)(I) of the Internal Revenue
6 Code of 1986, as amended, and, provided further, that for
7 individuals who attain seventy-two (72) years of age after December
8 31, 2022, such distributions shall take into account that "age 72"
9 was stricken and "the applicable age", as defined in Section
10 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended,
11 was inserted in Section 401(a)(9)(B)(iv)(I), Section
12 401(a)(9)(C)(i)(I) and Section 401(a)(9)(C)(ii)(I) of the Internal
13 Revenue Code of 1986, as amended, in all cases notwithstanding any
14 provision of the System to the contrary. With respect to
15 distributions under the System made for calendar years beginning on
16 or after January 1, 2001, through December 31, 2004, the System
17 shall apply the minimum distribution requirements and incidental
18 benefit requirements of Section 401(a)(9) of the Internal Revenue
19 Code of 1986, as amended, in accordance with the regulations under
20 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
21 which were proposed in January 2001, notwithstanding any provision
22 of the System to the contrary.

23 Effective July 1, 1989, notwithstanding any other provision
24 contained herein to the contrary, in no event shall commencement of

1 distribution of the accrued retirement benefit of a member be
2 delayed beyond April 1 of the calendar year following the later of:
3 (1) the calendar year in which the member reaches seventy and one-
4 half (70 1/2) years of age for a member who attains this age before
5 January 1, 2020, or, for a member who attains this age on or after
6 January 1, 2020, but before January 1, 2023, the calendar year in
7 which the member reaches seventy-two (72) years of age, or effective
8 for distributions required to be made after December 31, 2022, the
9 calendar year in which the member reaches seventy-three (73) years
10 of age for an individual who attains age seventy-two (72) after
11 December 31, 2022, or "the applicable age", as defined in Section
12 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended, if
13 later; or (2) the actual retirement date of the member. A member
14 electing to defer the commencement of retirement benefits pursuant
15 to Section 2-308.1 of this title may not defer the benefit
16 commencement beyond the age of sixty-five (65).

17 Effective September 8, 2009, notwithstanding anything to the
18 contrary of the System, the System, which as a governmental plan
19 (within the meaning of Section 414(d) of the Internal Revenue Code
20 of 1986, as amended), is treated as having complied with Section
21 401(a)(9) of the Internal Revenue Code of 1986, as amended, for all
22 years to which Section 401(a)(9) of the Internal Revenue Code of
23 1986, as amended, applies to the System if the System complies with

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1 a reasonable and good faith interpretation of Section 401(a)(9) of
2 the Internal Revenue Code of 1986, as amended.

3 A member who was required to join the System effective July 1,
4 1980, because of the transfer of the employing agency from the
5 Oklahoma Public Employees Retirement System to the System, and was
6 not a member of the Oklahoma Public Employees Retirement System on
7 the date of such transfer shall be allowed to receive credit for
8 prior law enforcement service rendered to this state, if the member
9 is not receiving or eligible to receive retirement credit or
10 benefits for such service in any other public retirement system,
11 upon payment to the System of the employee contribution the member
12 would have been subject to had the member been a member of the
13 System at the time, plus five percent (5%) interest. Service credit
14 received pursuant to this paragraph shall be used in determining the
15 member's retirement benefit, and shall be used in determining years
16 of service for retirement or vesting purposes;

17 ~~8.~~ 9. "Actual paid base salary" means the salary received by a
18 member, excluding payment for any accumulated leave or uniform
19 allowance. Salary shall include any amount of nonelective salary
20 reduction under Section 414(h) of the Internal Revenue Code of 1986;

21 ~~9.~~ 10. "Final average salary" means the average of the highest
22 thirty (30) consecutive complete months of actual paid gross salary.
23 Gross salary shall include any amount of elective salary reduction
24 under Section 457 of the Internal Revenue Code of 1986, as amended,

1 and any amount of nonelective salary reduction under Section 414(h)
2 of the Internal Revenue Code of 1986, as amended. Effective July 1,
3 1992, gross salary shall include any amount of elective salary
4 reduction under Section 125 of the Internal Revenue Code of 1986, as
5 amended. Effective July 1, 1998, gross salary shall include any
6 amount of elective salary reduction not includable in the gross
7 income of the member under Section 132(f)(4) of the Internal Revenue
8 Code of 1986, as amended. Effective July 1, 1998, for purposes of
9 determining a member's compensation, any contribution by the member
10 to reduce his or her regular cash remuneration under Section
11 132(f)(4) of the Internal Revenue Code of 1986, as amended, shall be
12 treated as if the member did not make such an election. Only salary
13 on which required contributions have been made may be used in
14 computing the final average salary. Gross salary shall not include
15 severance pay.

16 In addition to other applicable limitations, and notwithstanding
17 any other provision to the contrary, for plan years beginning on or
18 after July 1, 2002, the annual gross salary of each "Noneligible
19 Member" taken into account under the System shall not exceed the
20 Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA")
21 annual salary limit. The EGTRRA annual salary limit is Two Hundred
22 Thousand Dollars (\$200,000.00), as adjusted by the Commissioner for
23 increases in the cost of living in accordance with Section
24 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The

1 annual salary limit in effect for a calendar year applies to any
2 period, not exceeding twelve (12) months, over which salary is
3 determined ("determination period") beginning in such calendar year.
4 If a determination period consists of fewer than twelve (12) months,
5 the EGTRRA salary limit will be multiplied by a fraction, the
6 numerator of which is the number of months in the determination
7 period, and the denominator of which is twelve (12). For purposes
8 of this section, a "Noneligible Member" is any member who first
9 became a member during a plan year commencing on or after July 1,
10 1996.

11 For plan years beginning on or after July 1, 2002, any reference
12 in the System to the annual salary limit under Section 401(a)(17) of
13 the Internal Revenue Code of 1986, as amended, shall mean the EGTRRA
14 salary limit set forth in this provision.

15 Effective January 1, 2008, gross salary for a plan year shall
16 also include gross salary, as described above, for services, but
17 paid by the later of two and one-half (2 1/2) months after a
18 member's severance from employment or the end of the calendar year
19 that includes the date the member terminated employment, if it is a
20 payment that, absent a severance from employment, would have been
21 paid to the member while the member continued in employment with the
22 employer.

23 Effective January 1, 2008, any payments not described above
24 shall not be considered gross salary if paid after severance from

1 employment, even if they are paid by the later of two and one-half
2 (2 1/2) months after the date of severance from employment or the
3 end of the calendar year that includes the date of severance from
4 employment, except payments to an individual who does not currently
5 perform services for the employer by reason of qualified military
6 service within the meaning of Section 414(u)(5) of the Internal
7 Revenue Code of 1986, as amended, to the extent these payments do
8 not exceed the amounts the individual would have received if the
9 individual had continued to perform services for the employer rather
10 than entering qualified military service.

11 Effective January 1, 2008, back pay, within the meaning of
12 Section 1.415(c)-2(g)(8) of the Income Tax Regulations, shall be
13 treated as gross salary for the limitation year to which the back
14 pay relates to the extent the back pay represents wages and
15 compensation that would otherwise be included in this definition.

16 Effective for years beginning after December 31, 2008, gross
17 salary shall also include differential wage payments under Section
18 414(u)(12) of the Internal Revenue Code of 1986, as amended;

19 ~~10.~~ 11. "Credited service" means the period of service used to
20 determine the amount of benefits payable to a member. Credited
21 service shall consist of the period during which the member
22 participated in the System or the predecessor Plan as an active
23 employee in an eligible membership classification, plus any service
24 prior to the establishment of the predecessor Plan which was

1 credited under the predecessor Plan and for law enforcement officers
2 and criminalists of the Oklahoma State Bureau of Investigation and
3 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
4 who became members of the System on July 1, 1980, any service
5 credited under the Oklahoma Public Employees Retirement System as of
6 June 30, 1980, and for members of the Communications and ~~Lake Patrol~~
7 Marine Enforcement Divisions of the ~~Oklahoma~~ Department of Public
8 Safety, who became members of the System on July 1, 1981, any
9 service credited under the predecessor Plan or the Oklahoma Public
10 Employees Retirement System as of June 30, 1981, and for law
11 enforcement officers of the Alcoholic Beverage Laws Enforcement
12 Commission who became members of the System on July 1, 1982, any
13 service credited under the Oklahoma Public Employees Retirement
14 System as of June 30, 1982, and for park rangers of the Oklahoma
15 Tourism and Recreation Department who became members of the System
16 on July 1, 1985, any service credited under the Oklahoma Public
17 Employees Retirement System as of June 30, 1985, and for inspectors
18 of the State Board of Pharmacy who became members of the System on
19 July 1, 1986, any service credited under the Oklahoma Public
20 Employees Retirement System as of June 30, 1986, for law enforcement
21 officers of the ~~Oklahoma Capitol Patrol Division~~ Section of the
22 Department of Public Safety who became members of the System
23 effective July 1, 1993, any service credited under the Oklahoma
24 Public Employees Retirement System as of June 30, 1993, and for all

1 commissioned officers in the Gunsmith/Ammunition Reloader Division
2 of the Department of Public Safety who became members of the System
3 effective July 1, 1994, any service credited under the Oklahoma
4 Public Employees Retirement System as of June 30, 1994, and for the
5 park managers or park supervisors of the Oklahoma Tourism and
6 Recreation Department who were employed in such a position prior to
7 July 1, 1985, and who elect to become members of the System
8 effective September 1, 1996, any service transferred pursuant to
9 subsection C of Section 2-309.6 of this title and any service
10 purchased pursuant to subsection B of Section 2-307.2 of this title.
11 Effective August 5, 1993, an authorized leave of absence shall
12 include a period of absence pursuant to the Family and Medical Leave
13 Act of 1993;

14 ~~11.~~ 12. "Disability" means a physical or mental condition
15 which, in the judgment of the Board, totally and presumably
16 permanently prevents the member from engaging in the usual and
17 customary duties of the occupation of the member and thereafter
18 prevents the member from performing the duties of any occupation or
19 service for which the member is qualified by reason of training,
20 education or experience. A person is not under a disability when
21 capable of performing a service to the employer, regardless of
22 occupation, providing the salary of the employee is not diminished
23 thereby;

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1 ~~12.~~ 13. "Limitation year" means the year used in applying the
2 limitations of Section 415 of the Internal Revenue Code of 1986,
3 which year shall be the calendar year;

4 ~~13.~~ 14. "Line of duty" means any action which a member whose
5 primary function is crime control or reduction or enforcement of the
6 criminal law is obligated or authorized by rule, regulations,
7 condition of employment or service, or law to perform including
8 those social, ceremonial or athletic functions to which the member
9 is assigned, or for which the member is compensated, by the agency
10 the member serves;

11 ~~14.~~ 15. "Personal injury" or "injury" means any traumatic
12 injury as well as diseases which are caused by or result from such
13 an injury, but not occupational diseases;

14 ~~15.~~ 16. "Catastrophic nature" means consequences of an injury
15 that permanently prevent an individual from performing any gainful
16 work;

17 ~~16.~~ 17. "Traumatic injury" means a wound or a condition of the
18 body caused by external force including injuries inflicted by
19 bullets, explosives, sharp instruments, blunt objects or other
20 physical blows, chemicals, electricity, climatic conditions,
21 infectious diseases, radiation and bacteria, but excluding stress
22 and strain; and

23 ~~17.~~ 18. "Beneficiary" means the individual designated by the
24 member on a beneficiary designation form supplied by the Oklahoma

1 Law Enforcement Retirement System, or, if there is no designated
2 beneficiary or if the designated beneficiary predeceases the member,
3 the estate of the member. If the member's spouse is not designated
4 as the sole primary beneficiary, the member's spouse must sign a
5 consent.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2-309.9 of Title 47, unless
8 there is created a duplication in numbering, reads as follows:

9 A. 1. On or before November 1, 2024, a participating member of
10 the Oklahoma Law Enforcement Retirement System may make an
11 irrevocable written election to include law enforcement support
12 staff hired on or after the effective date of the election as
13 members of the System. Inclusion of law enforcement support staff
14 in an election made under this section shall only be to the extent
15 that such staff position is not already designated as eligible for
16 membership in the System.

17 2. A participating member wishing to make an election under
18 this subsection shall provide written notice of the election to the
19 System within seven (7) days of the member making such election.
20 The effective date of the election shall be the first day of the
21 month following the date that the System receives written notice
22 from the participating member.

23 3. For the purposes of this section, "law enforcement support
24 staff" means employees of a participating member who directly

1 support law enforcement officers certified by the Council on Law
2 Enforcement Education and Training (CLEET), including analysts and
3 communications staff.

4 B. Beginning on the effective date of an election under
5 subsection A of this section, the participating member and law
6 enforcement support staff at the subject of an election shall
7 participate in and make contributions to the System as other
8 participating members of the System. In no event shall
9 contributions be made by or on behalf of law enforcement support
10 staff to any plan offered by the Oklahoma Public Employees
11 Retirement System following such election.

12 C. In no event shall any employee who is at the subject of an
13 election made pursuant to subsection A of this section be permitted,
14 directly or indirectly, to influence the potential election of a
15 participating member agency.

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 2-309.10 of Title 47, unless
18 there is created a duplication in numbering, reads as follows:

19 Law enforcement game wardens of the Department of Wildlife
20 Conservation who are certified by the Council on Law Enforcement
21 Education and Training (CLEET) and who are hired on or after July 1,
22 2024, shall participate in and make contributions to the Oklahoma
23 Law Enforcement Retirement System as other participating employers
24 and members of the System. Such employees shall not make

1 contributions to any plan offered by the Oklahoma Public Employees
2 Retirement System or any retirement plan under Section 401(a) of the
3 Internal Revenue Code of 1986, as amended, sponsored or maintained
4 by the Department of Wildlife Conservation. The Department shall be
5 a participating employer in the Oklahoma Law Enforcement Retirement
6 System for all CLEET-certified law enforcement game wardens who
7 participate in the Oklahoma Law Enforcement Retirement System
8 pursuant to the provisions of this section.

9 SECTION 4. AMENDATORY 62 O.S. 2021, Section 3103, as
10 last amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.
11 2023, Section 3103), is amended to read as follows:

12 Section 3103. As used in the Oklahoma Pension Legislation
13 Actuarial Analysis Act:

14 1. "Amendment" means any amendment, including a substitute
15 bill, made to a retirement bill by any committee of the House of
16 Representatives or Senate, any conference committee of the House or
17 Senate or by the House or Senate;

18 2. "RB number" means that number preceded by the letters "RB"
19 assigned to a retirement bill by the respective staffs of the
20 ~~Oklahoma State~~ Senate and the ~~Oklahoma~~ House of Representatives when
21 the respective staff office prepares a retirement bill for a member
22 of the Legislature;

23 3. "Legislative Actuary" means the firm or entity that enters
24 into a contract with the Legislative Service Bureau pursuant to

1 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the
2 actuarial services and other duties provided for in the Oklahoma
3 Pension Legislation Actuarial Analysis Act;

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

8 5. "Nonfiscal retirement bill" means a retirement bill:

9 a. which does not affect the cost or funding factors of a
10 retirement system,

11 b. which affects such factors only in a manner which does
12 not:

13 (1) grant a benefit increase under the retirement
14 system affected by the bill,

15 (2) create an actuarial accrued liability for or
16 increase the actuarial accrued liability of the
17 retirement system affected by the bill, or

18 (3) increase the normal cost of the retirement system
19 affected by the bill,

20 c. which authorizes the purchase by an active member of
21 the retirement system, at the actuarial cost for the
22 purchase as computed pursuant to the statute in effect
23 on the effective date of the measure allowing such
24 purchase, of years of service for purposes of reaching

1 a normal retirement date in the applicable retirement
2 system, but which cannot be used in order to compute
3 the number of years of service for purposes of
4 computing the retirement benefit for the member,

5 d. which provides for the computation of a service-
6 connected disability retirement benefit for members of
7 the Oklahoma Law Enforcement Retirement System
8 pursuant to Section 2-305 of Title 47 of the Oklahoma
9 Statutes if the members were unable to complete twenty
10 (20) years of service as a result of the disability,

11 e. which requires membership in the defined benefit plan
12 authorized by Section 901 et seq. of Title 74 of the
13 Oklahoma Statutes for persons whose first elected or
14 appointed service occurs on or after November 1, 2018,
15 if such persons had any prior service in the Oklahoma
16 Public Employees Retirement System prior to November
17 1, 2015,

18 f. which provides for a one-time increase in retirement
19 benefits if the increase in retirement benefits is not
20 a permanent increase in the gross annual retirement
21 benefit payable to a member or beneficiary, occurs
22 only once pursuant to a single statutory authorization
23 and does not exceed:

24

- 1 (1) the lesser of two percent (2%) of the gross
2 annual retirement benefit of the member or One
3 Thousand Dollars (\$1,000.00) and requires that
4 the benefit may only be provided if the funded
5 ratio of the affected retirement system would not
6 be less than sixty percent (60%) but not greater
7 than eighty percent (80%) after the benefit
8 increase is paid,
- 9 (2) the lesser of two percent (2%) of the gross
10 annual retirement benefit of the member or One
11 Thousand Two Hundred Dollars (\$1,200.00) and
12 requires that the benefit may only be provided if
13 the funded ratio of the affected retirement
14 system would be greater than eighty percent (80%)
15 but not greater than one hundred percent (100%)
16 after the benefit increase is paid,
- 17 (3) the lesser of two percent (2%) of the gross
18 annual retirement benefit of the member or One
19 Thousand Four Hundred Dollars (\$1,400.00) and
20 requires that the benefit may only be provided if
21 the funded ratio of the affected retirement
22 system would be greater than one hundred percent
23 (100%) after the benefit increase is paid, or
24

1 (4) the greater of two percent (2%) of the gross
2 annual retirement benefit of the volunteer
3 firefighter or One Hundred Dollars (\$100.00) for
4 persons who retired from the Oklahoma
5 Firefighters Pension and Retirement System as
6 volunteer firefighters and who did not retire
7 from the Oklahoma Firefighters Pension and
8 Retirement System as a paid firefighter.

9 As used in this subparagraph, "funded ratio" means the
10 figure derived by dividing the actuarial value of
11 assets of the applicable retirement system by the
12 actuarial accrued liability of the applicable
13 retirement system,

14 g. which modifies the disability pension standard for
15 police officers who are members of the Oklahoma Police
16 Pension and Retirement System as provided by ~~Section 3~~
17 ~~of this act~~ Section 50-115 of Title 11 of the Oklahoma
18 Statutes,

19 h. which provides a cost-of-living benefit increase
20 pursuant to the provisions of:

21 (1) Section 49-143.7 of Title 11 of the Oklahoma
22 Statutes,

23 (2) Section 50-136.9 of Title 11 of the Oklahoma
24 Statutes,

1 (3) Section 1104K of Title 20 of the Oklahoma
2 Statutes,

3 (4) Section 2-305.12 of Title 47 of the Oklahoma
4 Statutes,

5 (5) Section 17-116.22 of Title 70 of the Oklahoma
6 Statutes,

7 (6) Section 930.11 of Title 74 of the Oklahoma
8 Statutes, ~~or~~

9 i. which modifies the computation of the line-of-duty
10 disability benefit pursuant to the provisions of ~~this~~
11 ~~act~~ this section and Sections 50-101 and 50-115 of
12 Title 11 of the Oklahoma Statutes, or

13 j. which authorizes membership in the Oklahoma Law
14 Enforcement Retirement System for active commissioned
15 or CLEET-certified agents of the Office of the
16 Attorney General or the Military Department of the
17 State of Oklahoma pursuant to Sections 3 and 4 of this
18 act.

19 A nonfiscal retirement bill shall include any retirement bill that
20 has as its sole purpose the appropriation or distribution or
21 redistribution of monies in some manner to a retirement system for
22 purposes of reducing the unfunded liability of such system or the
23 earmarking of a portion of the revenue from a tax to a retirement
24

1 system or increasing the percentage of the revenue earmarked from a
2 tax to a retirement system;

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

7 7. "Retirement bill" means any bill or joint resolution
8 introduced or any bill or joint resolution amended by a member of
9 the ~~Oklahoma~~ Legislature which creates or amends any law directly
10 affecting a retirement system. A retirement bill shall not mean a
11 bill or resolution that impacts the revenue of any state tax in
12 which a portion of the revenue generated from such tax is earmarked
13 for the benefit of a retirement system;

14 8. "Retirement bill having a fiscal impact" means any
15 retirement bill creating or establishing a retirement system and any
16 other retirement bill other than a nonfiscal retirement bill; and

17 9. "Retirement system" means the Teachers' Retirement System of
18 Oklahoma, the Oklahoma Public Employees Retirement System, the
19 Uniform Retirement System for Justices and Judges, the Oklahoma
20 Firefighters Pension and Retirement System, the Oklahoma Police
21 Pension and Retirement System, the Oklahoma Law Enforcement
22 Retirement System, or a retirement system established after January
23 1, 2006.

1 SECTION 5. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
6 April 9, 2024 - DO PASS AS AMENDED BY CS
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