

1 **SENATE FLOOR VERSION**

2 February 19, 2018

3 **AS AMENDED**

4 SENATE BILL NO. 1365

5 By: Kidd

6 **[ counties and county officers - county employees'**  
7 **retirement systems - county contribution - statutory**  
8 **references - effective date ]**

9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 19 O.S. 2011, Section 971, is  
12 amended to read as follows:

13 Section 971. A. Effective July 1, 1999, each county of the  
14 state may establish a County Officer and Employee Deferred Savings  
15 Incentive Plan as authorized by this ~~act~~ section.

16 B. A county electing to establish a County Officer and Employee  
17 Deferred Savings Incentive Plan shall establish a County Officer and  
18 Employee Deferred Savings Incentive Plan Fund for the payment of  
19 matching employer contributions as provided by this section, subject  
20 to the limit upon the amount of the matching employer contribution  
21 as provided by law. The participating employer shall pay the  
22 contributions from the same source of funds used in paying salary to  
23 the county officer or employee.

1 C. Subject to the limit imposed by subsection D of this  
2 section, for each qualified participant as defined in this section,  
3 the board of county commissioners of each county electing to  
4 establish a County Officer and Employee Deferred Savings Incentive  
5 Plan shall pay each month from the County Officer and Employee  
6 Deferred Savings Incentive Plan Fund a sum equal to the amount  
7 contributed each month by the participating county officer or  
8 employee to the deferred compensation plan account established for  
9 the participant pursuant to Section 457 of the Internal Revenue Code  
10 of 1986, as amended.

11 D. The board of county commissioners of each county shall set  
12 the amount of county contribution, but the amount of the  
13 contribution made by the county pursuant to subsection C of this  
14 section shall not exceed ~~Fifty Dollars (\$50.00)~~ One Hundred Dollars  
15 (\$100.00).

16 E. The payment of the matching employer contribution as  
17 authorized by this section by any county electing to establish a  
18 County Officer and Employee Deferred Savings Incentive Plan shall be  
19 made to a plan established pursuant to the Internal Revenue Code,  
20 Section 401(a), for the benefit of the officers and employees of the  
21 county.

22 F. For the purposes of this section, "qualified participant"  
23 means a:

24

1 1. "County employee" as defined by Section 957 of Title 19 of  
2 the Oklahoma Statutes who is a participant in a deferred  
3 compensation plan established by the county pursuant to Section 457  
4 of the Internal Revenue Code of 1986, as amended; and

5 2. "County officer" as defined by Section 131 of Title 19 of  
6 the Oklahoma Statutes who is a participant in a deferred  
7 compensation plan established by the county pursuant to Section 457  
8 of the Internal Revenue Code of 1986, as amended.

9 G. The board of county commissioners for each county electing  
10 to create a County Officer and Employee Deferred Savings Incentive  
11 Plan shall be responsible for establishing rules and plan documents  
12 for administration of the plan and all contributions made to the  
13 plan.

14 H. Pursuant to the requirements of Section 10 of Article XXIII  
15 of the Oklahoma Constitution, no county officer shall be able to  
16 receive matching contributions in the County Officer and Employee  
17 Deferred Savings Incentive Plan account described by this section  
18 during a term of office which commenced prior to ~~the effective date~~  
19 ~~of this act~~ July 1, 1999. A county officer may participate in the  
20 County Officer and Employee Deferred Savings Incentive Plan  
21 described by this section during a term of office which commences  
22 after ~~the effective date of this act~~ July 1, 1999.

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SECTION 2. This act shall become effective November 1, 2018.

COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE  
February 19, 2018 - DO PASS AS AMENDED

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