

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 271

By: Bass

AS INTRODUCED

An Act relating to judicial retirement; amending 20 O.S. 2011, Section 1102, which relates to retirement benefits; modifying types of offices held by certain persons requiring suspension of benefits; and modifying types of offices held by certain persons not requiring suspension of benefits.

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

SECTION 1. AMENDATORY 20 O.S. 2011, Section 1102, is amended to read as follows:

Section 1102. A. Any Justice or Judge of the Supreme Court, Court of Criminal Appeals, Workers' Compensation Court, Court of Appeals or District Court who serves as Justice or judge of any of said courts in the State of Oklahoma shall be a member of The Uniform Retirement System for Justices and Judges. For members whose initial service as a member of the System began prior to January 1, 2012, such member who serves for a period of eight (8) years or longer and upon reaching or passing the age of sixty-five (65) years, or who serves for a period of ten (10) years or longer and upon reaching or passing the age of sixty (60) years, or whose

1 sum of years of service and age equal or exceeds eighty (80), after
2 completing eight (8) years of judicial service, shall be eligible to
3 receive the retirement benefits herein provided. For members whose
4 initial service as a member of the System began on or after January
5 1, 2012, such member who serves for a period of eight (8) years or
6 longer and upon reaching or passing the age of sixty-seven (67)
7 years or who serves for a period of ten (10) years or longer and
8 upon reaching or passing the age of sixty-two (62) years shall be
9 eligible to receive the retirement benefits herein provided. In
10 determining the periods of time above mentioned a major fraction of
11 a year shall count as a whole year. If such Justice or judge is
12 still serving in such capacity when the above requirements are
13 complied with, the Justice or judge may elect to retire and may
14 elect whether such retirement shall become effective immediately or
15 at a specified time within the term of the Justice or judge or at
16 the expiration of the term of the Justice or judge. The Justice or
17 judge shall file a written declaration with the System and the Court
18 Administrator of his or her desire to retire. The Court
19 Administrator shall notify the Governor within five (5) business
20 days of receiving the Notice of Retirement.

21 B. Upon filing of an election by any Justice or judge to retire
22 as authorized by Section 1101 et seq. of this title, the office held
23 by such Justice or judge shall become vacated immediately or at the
24 specified time within the term of the Justice or judge, or at the

1 expiration of the term of the Justice or judge in accordance with
2 the election of the Justice or judge desiring retirement status.
3 Any such vacancy so created shall be filled in the manner provided
4 by law and the Constitution.

5 C. If any retired member of the System should be elected or
6 appointed to any judicial ~~or other~~ office covered by the System, the
7 retirement compensation of the retired member shall be suspended
8 during the period of time that the retired member holds such office
9 and be reinstated upon leaving such office. Notwithstanding any
10 other provision of this section or any other provision of law to the
11 contrary, a retired Justice or judge shall be permitted to be
12 employed by any college or university within The Oklahoma State
13 System of Higher Education as a full-time or part-time member of the
14 faculty or as a teacher in any common school or career and
15 technology education entity, or other elected or appointed office,
16 without suspension of retirement benefits.

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