

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 318

By: Taylor

AS INTRODUCED

An Act relating to police retirement; amending 11 O.S. 2011, Section 50-112, as amended by Section 4, Chapter 346, O.S.L. 2019 (11 O.S. Supp. 2020, Section 50-112), which relates to eligibility; updating statutory reference; modifying age range for eligibility of certain members in the System.

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 50-112, as amended by Section 4, Chapter 346, O.S.L. 2019 (11 O.S. Supp. 2020, Section 50-112), is amended to read as follows:

Section 50-112. A. All persons employed as full-time duly appointed or elected officers who are paid for working more than twenty-five (25) hours per week or any person hired by a participating municipality who is undergoing police training to become a permanent police officer of the municipality shall participate in the Oklahoma Police Pension and Retirement System upon initial employment with a police department of a participating municipality. All such persons shall submit to a physical-medical examination pertaining to sight, hearing, agility and other

1 conditions the requirements of which shall be established by the  
2 ~~State Board~~ Oklahoma Police Pension and Retirement Board. The  
3 person shall be required to complete this physical-medical  
4 examination prior to the beginning of actual employment. This  
5 examination shall identify any preexisting conditions. Except as  
6 otherwise provided in this section, a police officer shall be not  
7 less than twenty-one (21) nor more than ~~forty-five (45)~~ fifty (50)  
8 years of age when accepted for membership in the System. However,  
9 if a municipality should be found to be in noncompliance with the  
10 provisions of Article 50 of this title, as determined by the State  
11 Board, then any current full-time active police officer employed by  
12 a municipality as of July 1, 2001, shall not be denied eligibility  
13 to participate in the ~~Oklahoma Police Pension and Retirement~~ System  
14 solely due to age. The State Board shall have authority to deny or  
15 revoke membership of any person submitting false information in such  
16 person's membership application. The State Board shall have final  
17 authority in determining eligibility for membership in the System,  
18 pursuant to the provisions of this article.

19 B. The police chief of any participating municipality may be  
20 exempt from membership in the System or may become a member provided  
21 the member is not a retired member and the requirements of this  
22 section are met at the time of employment.

23 C. A member of the System who has attained his or her normal  
24 retirement date may, if the member so elects, agree to terminate  
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1 employment and retire as a member of the System and make an election  
2 to receive distributions from the System. If a retired member is  
3 reemployed by a participating municipality in the position of police  
4 chief or in a position which is not covered by the System,  
5 retirement shall include receipt by such retired member of in-  
6 service distributions from the System.

7 D. A former member of the System who terminates from covered  
8 employment and who has neither retired from the System nor entered  
9 the Oklahoma Police Deferred Option Plan and is later employed in a  
10 covered position with a participating municipality shall not be  
11 denied eligibility to become a member of the System because he or  
12 she is ~~forty-five (45)~~ fifty (50) years of age or older. If such  
13 member has withdrawn his or her contributions prior to re-entering  
14 the System and the member desires to receive credit for such prior  
15 service, then the member shall pay back such contributions and  
16 interest pursuant to Section 50-111.1 of this title.

17 E. Notwithstanding any other provision of law to the contrary,  
18 a municipality that employs two (2) or fewer full-time police  
19 officers may employ a police officer who is more than ~~forty-five~~  
20 ~~(45)~~ fifty (50) years of age and who has never participated in the  
21 ~~Oklahoma Police Pension and Retirement~~ System, but such police  
22 officer shall not be eligible to participate in the System. Such  
23 police officer shall be counted in the limitation imposed by this  
24 subsection. Notwithstanding any other provisions of law, the State

1 Board shall be granted access to information concerning a list of  
2 actively working police officers within the municipalities and  
3 agencies under the purview provided by the Council on Law  
4 Enforcement Education and Training.

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