

1 ENGROSSED SENATE  
2 BILL NO. 318

By: Taylor of the Senate

3 and

4 Ford of the House

5  
6 An Act relating to police retirement; amending 11  
7 O.S. 2021, Section 50-112, which relates to  
8 eligibility; updating statutory reference; modifying  
9 age range for eligibility of certain members in the  
10 System; and providing an effective date.

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

12 SECTION 1. AMENDATORY 11 O.S. 2021, Section 50-112, is  
13 amended to read as follows:

14 Section 50-112. A. All persons employed as full-time duly  
15 appointed or elected officers who are paid for working more than  
16 twenty-five (25) hours per week or any person hired by a  
17 participating municipality who is undergoing police training to  
18 become a permanent police officer of the municipality shall  
19 participate in the Oklahoma Police Pension and Retirement System  
20 upon initial employment with a police department of a participating  
21 municipality. All such persons shall submit to a physical-medical  
22 examination pertaining to sight, hearing, agility and other  
23 conditions the requirements of which shall be established by the  
24 ~~State Board~~ Oklahoma Police Pension and Retirement Board. The  
person shall be required to complete this physical-medical

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

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

20 C. A member of the System who has attained his or her normal  
21 retirement date may, if the member so elects, agree to terminate  
22 employment and retire as a member of the System and make an election  
23 to receive distributions from the System. If a retired member is  
24 reemployed by a participating municipality in the position of police

1 chief or in a position which is not covered by the System,  
2 retirement shall include receipt by such retired member of in-  
3 service distributions from the System.

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

14 E. Notwithstanding any other provision of law to the contrary,  
15 a municipality that employs two (2) or fewer full-time police  
16 officers may employ a police officer who is more than ~~forty-five~~  
17 ~~(45)~~ fifty (50) years of age and who has never participated in the  
18 ~~Oklahoma Police Pension and Retirement~~ System, but such police  
19 officer shall not be eligible to participate in the System. Such  
20 police officer shall be counted in the limitation imposed by this  
21 subsection. Notwithstanding any other provisions of law, the State  
22 Board shall be granted access to information concerning a list of  
23 actively working police officers within the municipalities and  
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1 agencies under the purview provided by the Council on Law  
2 Enforcement Education and Training.

3 SECTION 2. This act shall become effective September 1, 2022.

4 Passed the Senate the 8th day of March, 2022.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

9 2022.

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Presiding Officer of the House  
of Representatives

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