

1 Section 1102.2. A. Any active member of the Uniform Retirement
2 System for Justices and Judges who served in the Armed Forces of the
3 United States, as defined in paragraph (23) of Section 902 of Title
4 74 of the Oklahoma Statutes, prior to membership in the Uniform
5 Retirement System for Justices and Judges shall be granted service
6 credit, not to exceed five (5) years, for those periods of active
7 military service during which the member was a war veteran.

8 B. Any active member of the Uniform Retirement System for
9 Justices and Judges who served in any branch of the United States
10 Armed Forces or any component thereof, who was honorably discharged,
11 and whose initial membership in the System began on or after July 1,
12 2000, may receive up to five (5) years of prior military service
13 credit as otherwise provided in this section, only upon payment of
14 the actuarial cost of the service credit as determined by the Board
15 of Trustees pursuant to Section 1103G of this title. Any active
16 member of the Uniform Retirement System for Justices and Judges who
17 served in any branch of the United States Armed Forces or any
18 component thereof, who was honorably discharged and whose initial
19 membership in the System began prior to July 1, 2000, and whose
20 military service does not qualify as ~~prior or participating~~ service
21 which can be granted to a member under subsection A of this section,
22 shall be eligible to purchase service credit pursuant to this
23 subsection. For purposes of this subsection, "military service"
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1 means service in the Armed Forces of the United States by honorably
2 discharged persons.

3 C. The combined amount of service credit granted under
4 subsection A of this section and service credit purchased under
5 subsection B of this section shall not exceed five (5) years.

6 D. For a person becoming a member of the System on or after
7 July 1, 2003, if the military service credit authorized by this
8 section is used to compute the retirement benefit of the member and
9 the member retires from the System, such military service credit
10 shall not be used to compute the retirement benefit in any other
11 retirement system created pursuant to the Oklahoma Statutes and the
12 member may receive credit for such service only in the retirement
13 system from which the member first retires.

14 ~~D.~~ E. Effective December 12, 1994, and thereafter, a leave of
15 absence on account of a period of qualified military service in the
16 uniformed services of the United States within the meaning of
17 Section 414(u)(5) of the federal Internal Revenue Code, followed by
18 a return to service as a Justice or judge within ninety (90) days
19 after completion of the period of service may be eligible for
20 service credit under this System. Notwithstanding any provision of
21 this plan to the contrary, contributions, benefits and service
22 credit with respect to qualified military service will be allowed in
23 accordance with Section 414(u) of the federal Internal Revenue Code.

24

1 SECTION 2. AMENDATORY 74 O.S. 2021, Section 902, is
2 amended to read as follows:

3 Section 902. As used in Section 901 et seq. of this title:

4 (1) "System" means the Oklahoma Public Employees Retirement
5 System as established by ~~this act~~ Section 901 et seq. of this title
6 and as it may hereafter be amended;

7 (2) "Accumulated contributions" means the sum of all
8 contributions by a member to the System which shall be credited to
9 the member's account;

10 (3) "Act" means Sections 901 to 932, inclusive, of this title;

11 (4) "Actuarial equivalent" means a deferred income benefit of
12 equal value to the accumulated deposits or benefits when computed
13 upon the basis of the actuarial tables in use by the System;

14 (5) "Actuarial tables" means the actuarial tables approved and
15 in use by the Board at any given time;

16 (6) "Actuary" means the actuary or firm of actuaries employed
17 by the Board at any given time;

18 (7) "Beneficiary" means any person named by a member to receive
19 any benefits as provided for by Section 901 et seq. of this title.
20 If there is no beneficiary living at time of member employee's
21 death, the member's estate shall be the beneficiary;

22 (8) "Board" means the Oklahoma Public Employees Retirement
23 System Board of Trustees;

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1 (9) "Compensation" means all salary and wages, as defined by
2 the Board of Trustees, including amounts deferred under deferred
3 compensation agreements entered into between a member and a
4 participating employer, but exclusive of payment for overtime,
5 payable to a member of the System for personal services performed
6 for a participating employer but shall not include compensation or
7 reimbursement for traveling, or moving expenses, or any compensation
8 in excess of the maximum compensation level, provided:

9 (a) For compensation for service prior to January 1, 1988,
10 the maximum compensation level shall be Twenty-five
11 Thousand Dollars (\$25,000.00) per annum.

12 For compensation for service on or after January 1,
13 1988, through June 30, 1994, the maximum compensation
14 level shall be Forty Thousand Dollars (\$40,000.00) per
15 annum.

16 For compensation for service on or after July 1, 1994,
17 through June 30, 1995, the maximum compensation level
18 shall be Fifty Thousand Dollars (\$50,000.00) per
19 annum; for compensation for service on or after July
20 1, 1995, through June 30, 1996, the maximum
21 compensation level shall be Sixty Thousand Dollars
22 (\$60,000.00) per annum; for compensation for service
23 on or after July 1, 1996, through June 30, 1997, the
24 maximum compensation level shall be Seventy Thousand

1 Dollars (\$70,000.00) per annum; and for compensation
2 for service on or after July 1, 1997, through June 30,
3 1998, the maximum compensation level shall be Eighty
4 Thousand Dollars (\$80,000.00) per annum. For
5 compensation for services on or after July 1, 1998,
6 there shall be no maximum compensation level for
7 retirement purposes.

8 (b) Compensation for retirement purposes shall include any
9 amount of elective salary reduction under Section 457
10 of the Internal Revenue Code of 1986 and any amount of
11 nonelective salary reduction under Section 414(h) of
12 the Internal Revenue Code of 1986.

13 (c) Notwithstanding any provision to the contrary, the
14 compensation taken into account for any employee in
15 determining the contribution or benefit accruals for
16 any plan year is limited to the annual compensation
17 limit under Section 401(a)(17) of the federal Internal
18 Revenue Code.

19 (d) Current appointed members of the Oklahoma Tax
20 Commission whose salary is constitutionally limited
21 and is less than the highest salary allowed by law for
22 his or her position shall be allowed, within ninety
23 (90) days from ~~the effective date of this act~~ March
24 21, 2001, to make an election to use the highest

1 salary allowed by law for the position to which the
2 member was appointed for the purposes of making
3 contributions and determination of retirement
4 benefits. Such election shall be irrevocable and be
5 in writing. Reappointment to the same office shall
6 not permit a new election. Members appointed to the
7 Oklahoma Tax Commission after the ~~effective date of~~
8 ~~this act~~ March 21, 2001, shall make such election,
9 pursuant to this subparagraph, within ninety (90) days
10 of taking office;

11 (10) "Credited service" means the sum of participating service,
12 prior service and elected service;

13 (11) "Dependent" means a parent, child, or spouse of a member
14 who is dependent upon the member for at least one-half (1/2) of the
15 member's support;

16 (12) "Effective date" means the date upon which the System
17 becomes effective by operation of law;

18 (13) "Eligible employer" means the state and any county, county
19 hospital, city or town, conservation districts, circuit engineering
20 districts and any public or private trust in which a county, city or
21 town participates and is the primary beneficiary, is to be an
22 eligible employer for the purpose of ~~this act~~ Section 901 et seq. of
23 this title only, whose employees are covered by Social Security and
24 are not covered by or eligible for another retirement plan

1 authorized under the laws of this state which is in operation on the
2 initial entry date. Emergency medical service districts may join
3 the System upon proper application to the Board. Provided,
4 affiliation by a county hospital shall be in the form of a
5 resolution adopted by the board of control.

6 (a) If a class or several classes of employees of any
7 above-defined employers are covered by Social Security
8 and are not covered by or eligible for and will not
9 become eligible for another retirement plan authorized
10 under the laws of this state, which is in operation on
11 the effective date, such employer shall be deemed an
12 eligible employer, but only with respect to that class
13 or those classes of employees as defined in this
14 section.

15 (b) A class or several classes of employees who are
16 covered by Social Security and are not covered by or
17 eligible for and will not become eligible for another
18 retirement plan authorized under the laws of this
19 state, which is in operation on the effective date,
20 and when the qualifications for employment in such
21 class or classes are set by state law; and when such
22 class or classes of employees are employed by a county
23 or municipal government pursuant to such
24 qualifications; and when the services provided by such

1 employees are of such nature that they qualify for
2 matching by or contributions from state or federal
3 funds administered by an agency of state government
4 which qualifies as a participating employer, then the
5 agency of state government administering the state or
6 federal funds shall be deemed an eligible employer,
7 but only with respect to that class or those classes
8 of employees as defined in this subsection; provided,
9 that the required contributions to the retirement plan
10 may be withheld from the contributions of state or
11 federal funds administered by the state agency and
12 transmitted to the System on the same basis as the
13 employee and employer contributions are transmitted
14 for the direct employees of the state agency. The
15 retirement or eligibility for retirement under the
16 provisions of law providing pensions for service as a
17 volunteer firefighter shall not render any person
18 ineligible for participation in the benefits provided
19 for in Section 901 et seq. of this title. An employee
20 of any public or private trust in which a county, city
21 or town participates and is the primary beneficiary
22 shall be deemed to be an eligible employee for the
23 purpose of ~~this act~~ Section 901 et seq. of this title
24 only.

1 (c) All employees of the George Nigh Rehabilitation
2 Institute who elected to retain membership in the
3 System, pursuant to Section 913.7 of this title, shall
4 continue to be eligible employees for the purposes of
5 ~~this act~~ Section 901 et seq. of this title. The
6 George Nigh Rehabilitation Institute shall be
7 considered a participating employer only for such
8 employees.

9 (d) All employees of CompSource Mutual Insurance Company
10 who retain membership in the Oklahoma Public Employees
11 Retirement System pursuant to Section 913.9 of this
12 title shall continue to be eligible employees for the
13 purposes of the Oklahoma Public Employees Retirement
14 System. CompSource Mutual Insurance Company shall be
15 considered a participating employer only for such
16 employees.

17 (e) All employees of a successor organization, as defined
18 by Section 5-60.12 of Title 2 of the Oklahoma
19 Statutes, who retain membership in the Oklahoma Public
20 Employees Retirement System pursuant to Section 5-
21 60.35 of Title 2 of the Oklahoma Statutes shall
22 continue to be eligible employees for the purposes of
23 the Oklahoma Public Employees Retirement System. A
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1 successor organization shall be considered a
2 participating employer only for such employees.

3 (f) A participating employer of the Teachers' Retirement
4 System of Oklahoma, who has one or more employees who
5 have made an election pursuant to enabling legislation
6 to retain membership in the System as a result of
7 change in administration, shall be considered a
8 participating employer of the Oklahoma Public
9 Employees Retirement System only for such employees;

10 (14) "Employee" means any officer or employee of a
11 participating employer, whose employment is not seasonal or
12 temporary and whose employment requires at least one thousand
13 (1,000) hours of work per year and whose salary or wage is equal to
14 the hourly rate of the monthly minimum wage for state employees.
15 For those eligible employers outlined in Section 910 of this title,
16 the rate shall be equal to the hourly rate of the monthly minimum
17 wage for that employer. Each employer, whose minimum wage is less
18 than the state's minimum wage, shall inform the System of the
19 minimum wage for that employer. This notification shall be by
20 resolution of the governing body.

21 (a) Any employee of the county extension agents who is not
22 currently participating in the Teachers' Retirement
23 System of Oklahoma shall be a member of this System.
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1 (b) Eligibility shall not include any employee who is a
2 contributing member of the United States Civil Service
3 Retirement System.

4 (c) It shall be mandatory for an officer, appointee or
5 employee of the office of district attorney to become
6 a member of this System if he or she is not currently
7 participating in a county retirement system. Provided
8 further, that if an officer, appointee or employee of
9 the office of district attorney is currently
10 participating in such county retirement system, he or
11 she is ineligible for this System as long as he or she
12 is eligible for such county retirement system. Any
13 eligible officer, appointee or employee of the office
14 of district attorney shall be given credit for prior
15 service as defined in this section. The provisions
16 outlined in Section 917 of this title shall apply to
17 those employees who have previously withdrawn their
18 contributions.

19 (d) Eligibility shall also not include any officer or
20 employee of the Oklahoma Employment Security
21 Commission, except for those officers and employees of
22 the Commission electing to transfer to this System
23 pursuant to the provisions of Section 910.1 of this
24 title or any other class of officers or employees

1 specifically exempted by the laws of this state,
2 unless there be a consolidation as provided by Section
3 912 of this title. Employees of the Oklahoma
4 Employment Security Commission who are ineligible for
5 enrollment in the Oklahoma Employment Security
6 Commission Retirement Plan, that was in effect on
7 January 1, 1964, shall become members of this System.

8 (e) Any employee employed by the Legislative Service
9 Bureau, ~~State~~ Senate or House of Representatives for
10 the full duration of a regular legislative session
11 shall be eligible for membership in the System
12 regardless of classification as a temporary employee
13 and may participate in the System during the regular
14 legislative session at the option of the employee.
15 For purposes of this subparagraph, the determination
16 of whether an employee is employed for the full
17 duration of a regular legislative session shall be
18 made by the Legislative Service Bureau if such
19 employee is employed by the Legislative Service
20 Bureau, the ~~State~~ Senate if such employee is employed
21 by the ~~State~~ Senate, or by the House of
22 Representatives if such employee is employed by the
23 House of Representatives. Each regular legislative
24 session during which the legislative employee or an

1 employee of the Legislative Service Bureau
2 participates full time shall be counted as six (6)
3 months of full-time participating service.

4 (i) Except as otherwise provided by this
5 subparagraph, once a temporary session employee
6 makes a choice to participate or not, the choice
7 shall be binding for all future legislative
8 sessions during which the employee is employed.

9 (ii) Notwithstanding the provisions of division (i) of
10 this subparagraph, any employee, who is eligible
11 for membership in the System because of the
12 provisions of this subparagraph and who was
13 employed by the ~~State~~ Senate or House of
14 Representatives after January 1, 1989, may file
15 an election, in a manner specified by the Board,
16 to participate as a member of the System prior to
17 September 1, 1989.

18 (iii) Notwithstanding the provisions of division (i) of
19 this subparagraph, a temporary legislative
20 session employee who elected to become a member
21 of the System may withdraw from the System
22 effective the day ~~said~~ such employee elected to
23 participate in the System upon written request to
24 the Board. Any such request must be received by

1 the Board prior to October 1, 1990. All employee
2 contributions made by the temporary legislative
3 session employee shall be returned to the
4 employee without interest within four (4) months
5 of receipt of the written request.

- 6 (iv) A member of the System who did not initially
7 elect to participate as a member of the System
8 pursuant to this subparagraph shall be able to
9 acquire service performed as a temporary
10 legislative session employee for periods of
11 service performed prior to the date upon which
12 the person became a member of the System if:
- 13 a. the member files an election with the System
14 not later than December 31, 2000, to
15 purchase the prior service; and
 - 16 b. the member makes payment to the System of
17 the actuarial cost of the service credit
18 pursuant to subsection A of Section 913.5 of
19 this title. The provisions of Section 913.5
20 of this title shall be applicable to the
21 purchase of the service credit, including
22 the provisions for determining service
23 credit in the event of incomplete payment
24 due to cessation of payments, death,

1 termination of employment or retirement, but
2 the payment may extend for a period not to
3 exceed ninety-six (96) months;

4 (15) "Entry date" means the date on which an eligible employer
5 joins the System. The first entry date pursuant to Section 901 et
6 seq. of this title shall be January 1, 1964;

7 (16) "Executive Director" means the managing officer of the
8 System employed by the Board under Section 901 et seq. of this
9 title;

10 (17) "Federal Internal Revenue Code" means the federal Internal
11 Revenue Code of 1954 or 1986, as amended and as applicable to a
12 governmental plan as in effect on July 1, 1999;

13 (18) "Final average compensation" means the average annual
14 compensation, including amounts deferred under deferred compensation
15 agreements entered into between a member and a participating
16 employer, up to, but not exceeding the maximum compensation levels
17 as provided in paragraph (9) of this section received during the
18 highest three (3) of the last ten (10) years of participating
19 service immediately preceding retirement or termination of
20 employment and with respect to members whose first participating
21 service occurs on or after July 1, 2013, the compensation received
22 during the highest five (5) of the last ten (10) years of
23 participating service immediately preceding retirement or
24 termination of employment. Provided, no member shall retire with a

1 final average compensation unless the member has made the required
2 contributions on such compensation, as defined by the Board of
3 Trustees;

4 (19) "Fiscal year" means the period commencing July 1 of any
5 year and ending June 30 of the next year. The fiscal year is the
6 plan year for purposes of the federal Internal Revenue Code;
7 however, the calendar year is the limitation year for purposes of
8 Section 415 of the federal Internal Revenue Code;

9 (20) "Fund" means the Oklahoma Public Employees Retirement Fund
10 as created by Section 901 et seq. of this title;

11 (21) "Leave of absence" means a period of absence from
12 employment without pay, authorized and approved by the employer and
13 acknowledged to the Board, and which after the effective date does
14 not exceed two (2) years;

15 (22) "Member" means an eligible employee or elected official
16 who is in the System and is making the required employee or elected
17 official contributions, or any former employee or elected official
18 who shall have made the required contributions to the System and
19 shall have not received a refund or withdrawal;

20 (23) "Military service" means service in the Armed Forces of
21 the United States by an honorably discharged person during the
22 following time periods, as reflected on such person's Defense
23 Department Form 214, not to exceed five (5) years for combined
24 participating and/or prior service, as follows:

1 (a) during the following periods, including the beginning
2 and ending dates, and only for the periods served,
3 from:

4 (i) April 6, 1917, to November 11, 1918, commonly
5 referred to as World War I,

6 (ii) September 16, 1940, to December 7, 1941, as a
7 member of the 45th Division,

8 (iii) December 7, 1941, to December 31, 1946, commonly
9 referred to as World War II,

10 (iv) June 27, 1950, to January 31, 1955, commonly
11 referred to as the Korean Conflict or the Korean
12 War,

13 (v) February 28, 1961, to May 7, 1975, commonly
14 referred to as the Vietnam era, except that:

15 a. for the period from February 28, 1961, to
16 August 4, 1964, military service shall only
17 include service in the Republic of Vietnam
18 during that period, and

19 b. for purposes of determining eligibility for
20 education and training benefits, such period
21 shall end on December 31, 1976, or

22 (vi) August 1, 1990, to December 31, 1991, commonly
23 referred to as the Gulf War, the Persian Gulf

24 War, or Operation Desert Storm, but excluding any

1 person who served on active duty for training
2 only, unless discharged from such active duty for
3 a service-connected disability;

4 (b) during a period of war or combat military operation
5 other than a conflict, war or era listed in
6 subparagraph (a) of this paragraph, beginning on the
7 date of Congressional authorization, Congressional
8 resolution, or Executive Order of the President of the
9 United States, for the use of the Armed Forces of the
10 United States in a war or combat military operation,
11 if such war or combat military operation lasted for a
12 period of ninety (90) days or more, for a person who
13 served, and only for the period served, in the area of
14 responsibility of the war or combat military
15 operation, but excluding a person who served on active
16 duty for training only, unless discharged from such
17 active duty for a service-connected disability, and
18 provided that the burden of proof of military service
19 during this period shall be with the member, who must
20 present appropriate documentation establishing such
21 service.

22 An eligible member under this paragraph shall include only those
23 persons who shall have served during the times or in the areas
24 prescribed in this paragraph, and only if such person provides

1 appropriate documentation in such time and manner as required by the
2 System to establish such military service prescribed in this
3 paragraph, or for service pursuant to subdivision a of division (v)
4 of subparagraph (a) of this paragraph those persons who were awarded
5 service medals, as authorized by the United States Department of
6 Defense as reflected in the veteran's Defense Department Form 214,
7 related to the Vietnam Conflict for service prior to August 5, 1964;

8 (24) "Normal retirement date" means the date on which a member
9 may retire with full retirement benefits as provided in Section 901
10 et seq. of this title, such date being whichever occurs first:

11 (a) the first day of the month coinciding with or
12 following a member's:

13 (1) sixty-second birthday with respect to members
14 whose first participating service occurs prior to
15 November 1, 2011, or

16 (2) sixty-fifth birthday with respect to members
17 whose first participating service occurs on or
18 after November 1, 2011, or with respect to
19 members whose first participating service occurs
20 on or after November 1, 2011, ~~reaches~~ who reach a
21 minimum age of sixty (60) years and who also
22 ~~reaches~~ reach a normal retirement date pursuant
23 to subparagraph c of this paragraph,
24

1 (b) for any person who initially became a member prior to
2 July 1, 1992, and who does not reach a normal
3 retirement date pursuant to division (1) of
4 subparagraph (a) of this paragraph, the first day of
5 the month coinciding with or following the date at
6 which the sum of a member's age and number of years of
7 credited service total eighty (80); such a normal
8 retirement date will also apply to any person who
9 became a member of the sending system as defined in
10 Section 901 et seq. of this title, prior to July 1,
11 1992, regardless of whether there were breaks in
12 service after July 1, 1992,

13 (c) for any person who became a member after June 30,
14 1992, but prior to November 1, 2011, and who does not
15 reach a normal retirement date pursuant to division
16 (1) of subparagraph (a) of this paragraph, the first
17 day of the month coinciding with or following the date
18 at which the sum of a member's age and number of years
19 of credited service total ninety (90),

20 (d) in addition to subparagraphs (a), (b) and (c) of this
21 paragraph, the first day of the month coinciding with
22 or following a member's completion of at least twenty
23 (20) years of full-time-equivalent employment as:
24

1 (i) a correctional or probation and parole officer
2 with the Department of Corrections and at the
3 time of retirement, the member was a correctional
4 or probation and parole officer with the
5 Department of Corrections, ~~or~~

6 (ii) a correctional officer, probation and parole
7 officer or fugitive apprehension agent with the
8 Department of Corrections who is in such position
9 on June 30, 2004, or who is hired after June 30,
10 2004, and who receives a promotion or change in
11 job classification after June 30, 2004, to
12 another position in the Department of
13 Corrections, so long as such officer or agent has
14 at least five (5) years of service as a
15 correctional officer, probation and parole
16 officer or fugitive apprehension agent with the
17 Department, has twenty (20) years of full-time-
18 equivalent employment with the Department and was
19 employed by the Department at the time of
20 retirement, ~~or~~

21 (iii) a firefighter with the ~~Oklahoma~~ Military
22 Department of the State of Oklahoma either
23 employed for the first time on or after July 1,
24 2002, or who was employed prior to July 1, 2002,

1 in such position and who makes the election
2 authorized by division (2) of subparagraph b of
3 paragraph (9) of subsection A of Section 915 of
4 this title and at the time of retirement, the
5 member was a firefighter with the ~~Oklahoma~~
6 Military Department of the State of Oklahoma, and
7 such member has at least twenty (20) years of
8 credited service upon which the two and one-half
9 percent (2 1/2%) multiplier will be used in
10 calculating the retirement benefit, ~~or~~

11 (iv) a public safety officer employed by the Grand
12 River Dam Authority for the first time on or
13 after July 1, 2016, or

14 (v) a deputy sheriff or jailer employed by any county
15 that is a participating employer in the System
16 for the first time as a deputy sheriff or jailer
17 on or after November 1, 2020,

18 (e) for those fugitive apprehension agents who retire on
19 or after July 1, 2002, the first day of the month
20 coinciding with or following a member's completion of
21 at least twenty (20) years of full-time-equivalent
22 employment as a fugitive apprehension agent with the
23 Department of Corrections and at the time of
24

1 retirement, the member was a fugitive apprehension
2 agent with the Department of Corrections, or

3 (f) for any member who was continuously employed by an
4 entity or institution within The Oklahoma State System
5 of Higher Education and whose initial employment with
6 such entity or institution was prior to July 1, 1992,
7 and who without a break in service of more than thirty
8 (30) days became employed by an employer participating
9 in the Oklahoma Public Employees Retirement System,
10 the first day of the month coinciding with or
11 following the date at which the sum of the member's
12 age and number of years of credited service total
13 eighty (80);

14 (25) "Participating employer" means an eligible employer who
15 has agreed to make contributions to the System on behalf of its
16 employees;

17 (26) "Participating service" means the period of employment
18 after the entry date for which credit is granted a member.
19 Provided, on or after the effective date of this act, military
20 service credit purchased under Section 913.8 of this title shall
21 only be considered "participating service" if such service is
22 immediately preceded by a period of employment with a participating
23 employer and followed by a return to service as an employee with the

1 same or another participating employer within ninety (90) days
2 immediately following discharge from such military service;

3 (27) "Prior service" means the period of employment of a member
4 by an eligible employer prior to the member's entry date for which
5 credit is granted a member under Section 901 et seq. of this title.
6 Provided, on or after the effective date of this act, "prior
7 service" shall also include service purchased under Section 913.8 of
8 this title which does not meet the requirements of paragraph 26 of
9 this section;

10 (28) "Retirant" or "retiree" means a member who has retired
11 under the System;

12 (29) "Retirement benefit" means a monthly income with benefits
13 accruing from the first day of the month coinciding with or
14 following retirement and ending on the last day of the month in
15 which death occurs or the actuarial equivalent thereof paid in such
16 manner as specified by the member pursuant to Section 901 et seq. of
17 this title or as otherwise allowed to be paid at the discretion of
18 the Board;

19 (30) "Retirement coordinator" means the individual designated
20 by each participating employer through whom System transactions and
21 communication shall be directed;

22 (31) "Social Security" means the old-age survivors and
23 disability section of the ~~Federal~~ federal Social Security Act;

24

1 (32) "Total disability" means a physical or mental disability
2 accepted for disability benefits by the ~~Federal~~ federal Social
3 Security System;

4 (33) "Service-connected disability benefits" means military
5 service benefits which are for a service-connected disability rated
6 at twenty percent (20%) or more by the Veterans Administration or
7 the Armed Forces of the United States;

8 (34) "Elected official" means a person elected to a state
9 office in the legislative or executive branch of state government or
10 a person elected to a county office for a definite number of years
11 and shall include an individual who is appointed to fill the
12 unexpired term of an elected state official;

13 (35) "Elected service" means the period of service as an
14 elected official;

15 (36) "Limitation year" means the year used in applying the
16 limitations of Section 415 of the Internal Revenue Code of 1986,
17 which year shall be the calendar year; and

18 (37) "Public safety officers of the Grand River Dam Authority"
19 means those persons hired by the Grand River Dam Authority on or
20 after ~~the effective date of this act~~ March 21, 2001, who are
21 certified by the Council on Law Enforcement Education and Training
22 or an equivalent certifying entity for law enforcement personnel
23 training and who perform law enforcement functions as part of their
24 regularly assigned duties and responsibilities on a full-time basis.

1 With respect to any public safety officer hired by the Grand River
2 Dam Authority on or after ~~the effective date of this act~~ March 21,
3 2001, any earned benefits or credits toward retirement benefits from
4 previous participation within the Oklahoma Public Employees
5 Retirement System or the Oklahoma Law Enforcement Retirement System
6 shall remain within that system.

7 SECTION 3. AMENDATORY 74 O.S. 2021, Section 913, is
8 amended to read as follows:

9 Section 913. A. Prior service shall be credited as follows:

10 1. A member shall receive full credit for employment with any
11 participating employer prior to the entry date of his or her
12 employer whether or not continuous and whether or not he or she was
13 employed with a participating employer on such entry date, provided
14 that any member who has retired before the passage of Section 901 et
15 seq. of this title, shall not receive retirement benefits
16 retroactively for such prior service. Provided, that at such time
17 that an employer becomes a participating employer on or after
18 January 1, 1965, and before January 1, 1975, each member and each
19 retirant, upon making proper written application therefor, shall
20 receive prior service credit for service with such employer in the
21 same manner as if such participating employer had been a
22 participating employer on the date first eligible to become a
23 participating employer; and increased benefits attributable to such
24 increased prior service credit shall commence with the next monthly

1 benefit payment due following receipt and approval of such
2 application by the Board of Trustees. No prior service shall be
3 granted, however, for periods of service in which the employee made
4 contributions which he or she subsequently withdrew, unless he or
5 she has complied with the provisions of subsection (5) of Section
6 917 of this title. The burden of proof regarding prior service
7 shall be with the member and shall be documented in such manner as
8 the Board may direct;

9 2. Any member who was employed in an institution of higher
10 learning by a State Board of Regents or who was employed by an
11 Oklahoma school district prior to July 1, 1943, may receive prior
12 service credit under ~~this act~~ Section 901 et seq. of this title for
13 the period of time they were so employed;

14 3. Any member who served in the Armed Forces of the United
15 States, as defined in paragraph (23) of Section 902 of this title,
16 prior to membership in the Oklahoma Public Employees Retirement
17 System shall be granted prior service credit, not to exceed five (5)
18 years, for those periods of active military service during which he
19 or she was a war veteran. For a member of the System hired on or
20 after July 1, 2003, if the military service credit authorized by
21 this paragraph is used to compute the retirement benefit of the
22 member and the member retires from the System, such military service
23 credit shall not be used to compute the retirement benefit in any
24 other retirement system created pursuant to the Oklahoma Statutes

1 and the member may receive credit for such service only in the
2 retirement system from which the member first retires;

3 4. An elective state, county, city or town official who is
4 ineligible for membership as a result of any applicable state law or
5 constitutional provision making him or her ineligible solely because
6 of his or her being such an official at the time of his or her
7 eligibility for membership at the time his or her employer becomes a
8 participating employer shall nevertheless not forfeit the prior
9 service credit to which he or she would be entitled except for such
10 ineligibility, provided that he or she either:

11 a. becomes an employee of a participating employer within
12 four (4) calendar months of the expiration of his or
13 her term of office current at the time of his or her
14 eligibility except for his or her being an elective
15 state or county official, ~~or~~

16 b. within a period of four (4) years after the expiration
17 of his or her term of office current at the time of
18 his or her eligibility except for his or her being an
19 elective state or county official, is elected as a
20 state or county official and thereupon becomes a
21 member of the System, or

22 c. has completed ten (10) years of credited service as of
23 the date of his or her eligibility for membership
24

1 except for his or her being an elective state or
2 county official;

3 5. Beginning July 1, 1965, all employees of the Department of
4 Human Services shall participate in the Oklahoma Public Employees
5 Retirement System to the same extent as other employees of
6 participating employers in such System. Provided, that any employee
7 performing teaching services in the Oklahoma School for the Deaf or
8 the Oklahoma School for the Blind may elect to participate in the
9 Teachers' Retirement System of Oklahoma in lieu of the Oklahoma
10 Public Employees Retirement System; and any other employee at each
11 such institution or any other institution under the jurisdiction of
12 the Department of Human Services, participating in the Teachers'
13 Retirement System of Oklahoma, may elect to continue to participate
14 in such System in lieu of the Oklahoma Public Employees Retirement
15 System. All employees who shall have participated in the Teachers'
16 Retirement System of Oklahoma and not continuing therein shall have
17 the right to withdraw their membership from the Teachers' Retirement
18 System of Oklahoma on the same terms as other members withdrawing
19 from such System before retirement. Provided, all persons employed
20 at the Oklahoma School for the Blind and Oklahoma School for the
21 Deaf on June 30, 1965, who became subject to the Oklahoma Public
22 Employees Retirement System, on July 1, 1965, shall receive credit
23 for prior service and be eligible for participation, regardless of
24 age;

1 6. A member employed as a temporary employee by the Legislative
2 Service Bureau or its predecessors, the ~~State~~ Senate or the House of
3 Representatives for the full duration of a regular legislative
4 session prior to the member's eligibility for membership in the
5 System shall receive six (6) months of prior service credit for each
6 such full regular legislative session if the employee is employed by
7 the Legislative Service Bureau or its predecessors, the ~~State~~ Senate
8 or the House of Representatives as either a full-time or temporary
9 employee for a minimum of six (6) full regular legislative sessions
10 beginning January 1, 1983. For purposes of this subsection, the
11 determination of whether an employee is employed for the full
12 duration of a regular legislative session shall be made by the
13 Legislative Service Bureau if such employee is employed by the
14 Legislative Service Bureau, the ~~State~~ Senate if such employee is
15 employed by the ~~State~~ Senate, or by the House of Representatives if
16 such employee is employed by the House of Representatives;

17 7. A member of the System shall receive prior service credit
18 for any years of service after January 1, 1975, the member had with
19 a participating employer if the member is not receiving or eligible
20 to receive such prior service credit for the same time in any other
21 state or county retirement system authorized by law. To receive the
22 service credit, the member shall pay the amount determined by the
23 Board pursuant to Section 913.5 of this title; and

24

1 8. Any member who is a state employee and receives temporary
2 total disability benefits during the period of absence with a
3 participating employer due to a work-related injury or illness
4 incurred while engaged in a governmental function for ~~said~~ the
5 participating employer pursuant to the Administrative Workers'
6 Compensation Act shall receive credit for participating service
7 during ~~said~~ such period of absence subject to the following
8 requirements:

9 a. the member was employed by the participating employer
10 immediately prior to and during the period of absence,

11 b. the member must notify the System in writing not later
12 than four (4) months after the member's return to his
13 or her job duties with the participating employer, or
14 termination of employment with the participating
15 employer, or termination of the temporary total
16 disability benefits, whichever is earlier, of the
17 member's desire to receive participating service
18 credit for the period of absence,

19 c. the participating employer must certify to the System
20 in writing the dates during which temporary total
21 disability benefits payments were paid to the member,
22 and

23 d. the member and the participating employer shall each
24 pay their respective contributions required for the

1 period of absence without interest within sixty (60)
2 days of invoicing by the System, or with interest of
3 seven and one-half percent (7 1/2%) compounded
4 annually if paid after ~~said~~ the sixty (60) days.

5 B. Participating service shall be credited as follows:

6 1. A member shall receive credit for participating service with
7 a participating employer in accordance with the rules and
8 regulations established by the Board; provided, however, that a
9 member who is not a full-time employee shall receive prorated credit
10 for actual hours worked;

11 2. Leaves of absence shall not count as a break in continuous
12 employment provided the member leaves his or her accumulated
13 contribution on deposit with the fund; however, the leaves of
14 absence shall not be credited except that involuntary furloughs
15 established by Office of Management and Enterprise Services rules,
16 involuntary furloughs of employees of a district attorney conducted
17 in substantial compliance with the rules of the Office of Management
18 and Enterprise Services as certified by the District Attorneys
19 Council, involuntary furloughs of employees pursuant to a furlough
20 plan adopted by the President Pro Tempore of the Senate or the
21 Speaker of the House of Representatives as authorized in Section
22 840-5.1 of this title and involuntary furloughs of employees
23 authorized by the Oklahoma Supreme Court shall be credited;

24

1 3. Any member who has served in the Armed Forces of the United
2 States, as defined in paragraph (23) of Section 902 of this title,
3 shall be granted participating service for those periods of active
4 military service during which he or she was a war veteran provided
5 this service is immediately preceded by a period of employment with
6 a participating employer and is followed by return to employment as
7 an employee with the same or another participating employer within
8 ninety (90) days immediately following discharge from such military
9 service provided the member leaves his or her accumulated
10 contributions on deposit with the fund. Provided, on or after the
11 effective date of this act, service granted under this section and
12 service purchased under Section 913.8 of this title shall not exceed
13 five (5) years;

14 4. A period of total disability under the System immediately
15 followed by employment with a participating employer, shall not
16 count as a break in continuous employment; provided, that such
17 periods while not employed shall not be credited except that
18 involuntary furloughs established by Office of Management and
19 Enterprise Services Rule 6.13, shall be credited;

20 5. Termination of employment with a participating employer
21 followed by employment with the same or another participating
22 employer within four (4) calendar months shall not constitute a
23 break in continuous employment; provided, that such period while not
24 employed shall not be credited as participating service;

1 6. Provided, however, that all employee contributions required
2 by ~~this act~~ Section 901 et seq. of this title made by employees
3 prior to June 30, 1977, will entitle the employee to additional
4 years of participating service in accordance with the following
5 schedule.

- 6 Employee accumulated contributions:
- 7 More than \$1.00 up to \$500 = 1 year participating service
 - 8 More than \$500 up to \$1,000 = 2 years participating service
 - 9 More than \$1,000 up to \$1,500 = 3 years participating service
 - 10 More than \$1,500 up to \$2,000 = 4 years participating service
 - 11 More than \$2,000 = 5 years participating service

12 In no event shall the employee be entitled to more than five (5)
13 additional years of participating service as provided hereunder.

14 Provided further, that upon termination of employment prior to
15 retirement, the accumulated contributions will be credited as above
16 indicated to establish a vested benefit if so elected by any such
17 employee; and

18 7. a. The total participating service credit of a member who
19 retires or terminates employment and elects a vested
20 benefit shall include not to exceed one hundred thirty
21 (130) days of unused sick leave accumulated subsequent
22 to August 1, 1959, during the member's employment with
23 any participating employer. Such credit shall be
24 added in terms of whole months. Twenty (20) days of

1 unused sick leave shall equal one (1) month for
2 purposes of participating service credit. If unused
3 sick leave entitles a member to an additional year of
4 service credit, the member's employer shall reimburse
5 the System for the cost of funding the additional
6 benefit. For members who join the System on or after
7 November 1, 2012, if unused sick leave entitles a
8 member to any additional service credit, the member's
9 employer shall reimburse the System for the cost of
10 funding the additional benefit. Each participating
11 employer shall provide the System with adequate and
12 timely information necessary to determine additional
13 benefits and its cost under this paragraph. This
14 subparagraph shall apply to members retiring or
15 vesting on or after July 1, 1984.

16 b. For members who join the System on or after November
17 1, 2012, unused sick leave as set forth in
18 subparagraph a of this paragraph shall be credited at
19 the same rate but not used to round up to another
20 year. Instead, any additional months of unused sick
21 leave credit shall be added to other service credit
22 without rounding.

23 c. In determining the number of years of credited service, a
24 fractional year of six (6) months or more shall be considered as one

1 (1) year, and less than six (6) months shall be disregarded. For
2 members who join the System on or after November 1, 2012, the number
3 of years of credited service shall be based on actual years and full
4 months of credited service without rounding up or down.

5 D. A member may receive credit for those years of credited
6 service accumulated by the member while a member of the Oklahoma
7 Firefighters Pension and Retirement System, the Oklahoma Police
8 Pension and Retirement System, the Uniform Retirement System for
9 Justices and Judges, the Oklahoma Law Enforcement Retirement System,
10 or the Teachers' Retirement System of Oklahoma, if the member is not
11 receiving or eligible to receive retirement credit or benefits from
12 ~~said~~ such service in any other public retirement system. To receive
13 the service credit, the member shall pay the amount determined by
14 the Board pursuant to Section 913.5 of this title.

15 E. A member may receive credit for those years of service
16 accumulated by the member as an elected official if the member is
17 not receiving or eligible to receive retirement credit or benefits
18 from ~~said~~ such service in any public retirement system. Prior to
19 January 1, 1991, to receive the service credit, the member shall pay
20 to the Board for each year of service purchased pursuant to this
21 subsection a sum equal to the employee and employer contribution
22 rate that would have been applicable to the member as determined by
23 the Board and interest ~~of~~ not to exceed five percent (5%), and
24 effective January 1, 1991, to receive the service credit, the member

1 shall pay the amount determined by the Board pursuant to Section
2 913.5 of this title.

3 F. Effective December 12, 1994, and thereafter, a leave of
4 absence on account of a period of qualified military service in the
5 uniformed services of the United States within the meaning of
6 Section 414(u)(5) of the federal Internal Revenue Code, followed by
7 a return to employment with the participating employer within ninety
8 (90) days after completion of the period of service may be eligible
9 for credited service under this System. Notwithstanding any
10 provision of this plan to the contrary, contributions, benefits and
11 service credit with respect to qualified military service will be
12 allowed in accordance with Section 414(u) of the federal Internal
13 Revenue Code.

14 G. 1. An active member of the Oklahoma Public Employees
15 Retirement System may receive credit for those years of service
16 accumulated by the member while a member of the Teachers' Retirement
17 System of Oklahoma if:

- 18 a. the member is an active member of the Oklahoma Public
19 Employees Retirement System, ~~and~~
- 20 b. the member provides notice to the Teachers' Retirement
21 System of Oklahoma and the Oklahoma Public Employees
22 Retirement System of the member's election to transfer
23 ~~said~~ such retirement credit. The notice shall include
24 a list of the years to be transferred, and

1 c. the member is not receiving or eligible to receive
2 retirement credit or benefits from ~~said~~ such service
3 in any other public retirement system, notwithstanding
4 the years of service sought to be transferred under
5 this subsection.

6 Members electing to take advantage of the transfer authorized by
7 this subsection who are receiving or eligible to receive retirement
8 credit or benefits from ~~said~~ such service in any other public
9 retirement system shall have all service credit with the Teachers'
10 Retirement System of Oklahoma canceled which is not transferred to
11 the Oklahoma Public Employees Retirement System or used as a cash
12 offset in such a transfer pursuant to subparagraph d of paragraph 2
13 of this subsection. Service credit transferred to the Teachers'
14 Retirement System of Oklahoma under this subsection shall also be
15 canceled with the Oklahoma Public Employees Retirement System.

16 2. For purposes of this subsection, the "sending system" shall
17 mean the Teachers' Retirement System of Oklahoma. The "receiving
18 system" shall mean the Oklahoma Public Employees Retirement System.

19 a. Within thirty (30) days after notification of an
20 intent to transfer is received by the sending system,
21 the sending system shall, according to its own rules
22 and regulations:

23 (1) for members who have vested with the sending
24 system, determine the present value of the

1 member's earned benefits attributable to the
2 years of service sought to be transferred,
3 discounted according to the member's age at the
4 time of transfer and computed as of the earliest
5 age at which the member would be able to retire.
6 ~~Said~~ Such computation shall assume an unreduced
7 benefit and be computed using interest and
8 mortality assumptions consistent with the
9 actuarial assumptions adopted by the Board of
10 Trustees for purposes of preparing the annual
11 actuarial evaluation but shall not make any
12 projections regarding future salary. For vested
13 employees the sending system shall use the
14 product of this calculation for purposes of
15 determining the transfer fee to be paid by the
16 employee under subparagraph c of this paragraph
17 so long as it is greater than the product of the
18 calculation in this division, and

- 19 (2) determine the sum of the employee and employer
20 contributions applicable to the years of service
21 sought to be transferred plus interest consistent
22 with the actuarial assumptions adopted by the
23 Board of Trustees for purposes of preparing the
24 annual actuarial evaluation. For all nonvested

1 members, and for vested members if the product of
2 this calculation is greater than the product of
3 the calculation in division (1) of this
4 subparagraph, the sending system shall use the
5 product of this calculation for purposes of
6 determining the amount to be transferred by the
7 sending system under subparagraph c of this
8 paragraph and any transfer fee to be paid by the
9 members under subparagraph d of this paragraph.

10 b. Within thirty (30) days after notification of an
11 intent to transfer is received by the receiving
12 system, the receiving system shall determine,
13 according to the system's own rules and regulations,
14 the present value of the member's incremental
15 projected benefits discounted according to the
16 member's age at the time of the transfer. Incremental
17 projected benefits shall be the difference between the
18 projected benefit ~~said~~ the member would receive
19 without transferring the service credit and the
20 projected benefit after transfer of service credit
21 computed as of the earliest age at which the member
22 would be able to retire. ~~Said~~ Such computation shall
23 assume an unreduced benefit and be computed using
24 interest, salary projections and mortality assumptions

1 consistent with the actuarial assumptions adopted by
2 the Board of Trustees for purposes of preparing the
3 annual actuarial evaluation.

4 c. The sending system shall, within sixty (60) days from
5 the date notification of an intent to transfer is
6 received by the sending system, transfer to the
7 receiving system the amount determined in subparagraph
8 a of this paragraph. Except, if the cost under
9 subparagraph a of this paragraph for the same years of
10 service to the sending system is greater than the
11 actuarial value of the incremental benefit in the
12 receiving system, as established in subparagraph b of
13 this paragraph, the sending system shall send the
14 receiving system an amount equal to the actuarial
15 value of the incremental projected benefit in the
16 receiving system.

17 d. In order to receive the credit provided for in
18 paragraph 1 of this subsection, if the cost of the
19 actuarial value of the incremental benefit to the
20 receiving system is greater than the cost as
21 calculated under subparagraph a of this paragraph for
22 the same years of service to the sending system as
23 established in subparagraphs a and b of this
24 paragraph, the employee shall elect to:

1 (1) pay any difference to receive full credit for the
2 years sought to be transferred, or

3 (2) receive prorated service credit for only the
4 amount received from the Teachers' Retirement
5 System of Oklahoma pursuant to this subsection.

6 Such an election shall be made in writing, filed with
7 the System prior to receiving the credit provided for
8 in paragraph 1 of this subsection, and shall be
9 irrevocable.

10 3. Within sixty (60) days of successfully completing all of the
11 requirements for transfer under this subsection, the sending system
12 shall pay the receiving system any amount due under this subsection.
13 Within sixty (60) days of successfully completing all of the
14 requirements for transfer under this subsection, the member shall
15 pay the receiving system any amount due under this subsection. In
16 the event that the member is unable to pay the transfer fee provided
17 for in this subsection by the due date, the Board of Trustees of the
18 receiving system shall permit the member to amortize the transfer
19 fee over a period not to exceed sixty (60) months. ~~Said~~ The
20 payments shall be made by payroll deductions unless the Board of
21 Trustees permits an alternate payment source. The amortization
22 shall include interest in an amount not to exceed the actuarially
23 assumed interest rate adopted by the Board of Trustees for
24 investment earnings each year. Any member who ceases to make

1 payment, terminates, retires or dies before completing the payments
2 provided for in this section shall receive prorated service credit
3 for only those payments made, unless the unpaid balance is paid by
4 ~~said~~ the member, his or her estate or successor in interest within
5 six (6) months after ~~said~~ the member's death, termination of
6 employment or retirement⁷; provided, no retirement benefits shall be
7 payable until the unpaid balance is paid, unless said member or
8 beneficiary affirmatively waives the additional six-month period in
9 which to pay the unpaid balance.

10 4. Years of service transferred pursuant to this subsection
11 shall be used both in determining the member's retirement benefit
12 and in determining the years of service for retirement and/or
13 vesting purposes. Years of service rendered as a member of the
14 Teachers' Retirement System of Oklahoma prior to July 1, 1992, if
15 any, shall be deemed to be years of service rendered as a member of
16 the Oklahoma Public Employees Retirement System prior to July 1,
17 1992, and shall qualify such person as a member of the Oklahoma
18 Public Employees Retirement System before July 1, 1992.

19 5. Notwithstanding the requirements of Section 17-104 of Title
20 70 of the Oklahoma Statutes, members electing to take advantage of
21 the transfer authorized by this subsection who have withdrawn their
22 contributions from the sending system shall remit to the sending
23 system the amount of the accumulated contributions the member has
24 withdrawn plus simple interest of ten percent (10%) per annum prior

1 to making ~~said~~ such election or the election shall be deemed invalid
2 and the transfer shall be canceled. If such an election is deemed
3 invalid and the transfer is canceled, the accumulated contribution
4 remitted to the sending system by the member who originally withdrew
5 their contributions shall be returned to the member. The member's
6 rights and obligations regarding any service credit reestablished in
7 the sending system due to a failure to satisfy the requirements of
8 this subsection shall be determined by the sending system in
9 accordance with Section 17-101 et seq. of Title 70 of the Oklahoma
10 Statutes.

11 6. If any member fails for any reason to satisfy the
12 requirements of this subsection, the election to transfer retirement
13 credit shall be void and of no effect, and any retirement credited
14 as a result of this transfer shall be canceled. If such retirement
15 credit is canceled, the years of canceled retirement credit which
16 were unsuccessfully transferred to the receiving system from the
17 sending system shall be reestablished in the sending system. The
18 member's rights and obligations regarding any retirement credit
19 reestablished in the sending system due to a failure to satisfy the
20 requirements of this subsection shall be determined by the sending
21 system in accordance with Section 17-101 et seq. of Title 70 of the
22 Oklahoma Statutes.

23 7. The Board of Trustees shall promulgate such rules as are
24 necessary to implement the provisions of this subsection.

1 H. 1. A member of the Teachers' Retirement System of Oklahoma
2 whose last service with the Teachers' Retirement System of Oklahoma
3 was with an entity or institution within The Oklahoma State System
4 of Higher Education, State Board of Education, State Board of Career
5 and Technology Education, Oklahoma Department of Career and
6 Technology Education, Oklahoma School of Science and Mathematics,
7 Oklahoma Center for the Advancement of Science and Technology, State
8 Department of Rehabilitation Services, Oklahoma State Regents for
9 Higher Education, Department of Corrections, State Department of
10 Education, Oklahoma Board of Private Vocational Schools, Board of
11 Regents of Oklahoma Colleges, Oklahoma Student Loan Authority, or
12 the Teachers' Retirement System of Oklahoma, may elect to receive
13 credit for those years of service accumulated by the member in the
14 Teachers' Retirement System of Oklahoma, pursuant to this
15 subsection. A member shall be eligible to elect to transfer credit
16 for such years of service from the Teachers' Retirement System of
17 Oklahoma to the Oklahoma Public Employees Retirement System if:

- 18 a. the member is an active member of the Oklahoma Public
19 Employees Retirement System,
- 20 b. the member provides notice to the Teachers' Retirement
21 System of Oklahoma and the Oklahoma Public Employees
22 Retirement System of the member's election to transfer
23 such retirement credit. The notice shall include a
24 list of the years to be transferred, and

1 c. the member is not receiving or eligible to receive
2 retirement credit or benefits from such service in any
3 other public retirement system, notwithstanding the
4 years of service sought to be transferred under this
5 subsection.

6 Members electing to take advantage of the transfer authorized by
7 this subsection shall have all service credit with the Teachers'
8 Retirement System of Oklahoma canceled which is transferred to the
9 Oklahoma Public Employees Retirement System.

10 2. For purposes of this subsection, the "sending system" shall
11 mean the Teachers' Retirement System of Oklahoma. The "receiving
12 system" shall mean the Oklahoma Public Employees Retirement System.
13 Within thirty (30) days after notification of an intent to transfer
14 is received by the sending system, the sending system shall,
15 according to its own rules, send to the receiving system all
16 employer and employee contributions made on behalf of the member
17 which were made to the sending system plus an additional amount of
18 earnings based on the actuarial assumed rate of the sending system.
19 Upon receipt of these contributions by the receiving system, the
20 receiving system shall give credit to the transferring member in an
21 amount equal to the years of service accrued in the sending system.

22 3. If the transferring member's normal retirement date
23 calculation is based upon the sum of the member's age and number of
24 years of credited service totaling eighty (80) in the sending

1 system, then the member shall retain such calculation in the
2 receiving system.

3 4. The Board of Trustees shall promulgate such rules as are
4 necessary to implement the provisions of this subsection.

5 I. A member of the System in the employment of the Governor,
6 the ~~State~~ Senate or the House of Representatives, on or after July
7 1, 1999, may make an election prior to December 31, 2000, which
8 shall be irrevocable and on a form prescribed for such purpose by
9 the System, to continue participation in the System upon becoming
10 employed by a participating employer of the Teachers' Retirement
11 System of Oklahoma. The Board shall promulgate all rules necessary
12 to implement the provisions of this subsection.

13 SECTION 4. AMENDATORY 74 O.S. 2021, Section 913.8, as
14 amended by Section 5, Chapter 96, O.S.L. 2022 (74 O.S. Supp. 2022,
15 Section 913.8), is amended to read as follows:

16 Section 913.8. A. Any active member of the Oklahoma Public
17 Employees Retirement System who served in any branch of the United
18 States Armed Forces or any component thereof, who was honorably
19 discharged, and whose initial membership in the System began on or
20 after July 1, 2000, may receive up to five (5) years of ~~prior or~~
21 ~~participating~~ military service credit as otherwise provided in ~~this~~
22 ~~act~~ Section 901 et seq. of this title, only upon payment of the
23 actuarial cost of the service credit as determined by the Board
24 pursuant to Section 913.5 of this title. Any active member of the

1 Oklahoma Public Employees Retirement System who served in any branch
2 of the United States Armed Forces or any component thereof, who was
3 honorably discharged, and whose initial membership in the System
4 began prior to July 1, 2000, and whose military service does not
5 qualify as ~~prior or participating~~ service which can be granted to a
6 member under Section 913 of this title, shall be eligible to
7 purchase service credit pursuant to this subsection. For purposes
8 of this subsection, "military service" means service in the Armed
9 Forces of the United States by honorably discharged persons.

10 B. The combined amount of service granted under subsection B of
11 Section 913 of this title, and service purchased pursuant to
12 subsection A of this section, shall not exceed five (5) years.

13 C. For a member of the System hired on or after July 1, 2003,
14 if the military service credit authorized by this section is used to
15 compute the retirement benefit of the member and the member retires
16 from the System, such military service credit shall not be used to
17 compute the retirement benefit in any other retirement system
18 created pursuant to the Oklahoma Statutes and the member may receive
19 credit for such service only in the retirement system from which the
20 member first retires.

21 SECTION 5. This act shall become effective November 1, 2023.

22
23 COMMITTEE REPORT BY: COMMITTEE ON BANKING, FINANCIAL SERVICES AND
24 PENSIONS, dated 04/03/2023 - DO PASS.