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ENGROSSED HOUSE AMENDMENT
TO

ENGROSSED SENATE BILL NO. 1032

By: Littlefield of the
Senate

and

Hutchison of the House

An Act relating to retirement; amending 11 O.S. 1991,
Section 50-106.3, as amended by Section 1, Chapter
352, O.S.L. 1993 (11 O.S. Supp. 1995, Section 50-
106.3), which relates to the Oklahoma Police
Pension and Retirement System; * * * providing an
effective date; and declaring an emergency.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

"An Act relating to the Oklahoma Police Pension and
Retirement System; amending 11 O.S. 1991, Section 50-
106.3, as amended by Section 1, Chapter 352, O.S.L. 1993
(11 O.S. Supp. 1995, Section 50-106.3), which relates to
eligible employers; requiring certain employer to become
certain participating municipality upon filing of certain
resolution; requiring membership of certain employees in
certain system; allowing election of certain employees for
participation in certain system; allowing certain employee
election for withdrawal or vesting of certain benefits;
allowing certain employee claim for prior service and
providing exception; prescribing conditions upon certain
members with respect to normal retirement date or vesting;
providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 50-106.3, as amended by Section 1, Chapter 352, O.S.L. 1993 (11 O.S. Supp. 1995, Section 50-106.3), is amended to read as follows:

Section 50-106.3 A. An eligible employer may join the System on the first day of any month. Application for affiliation shall be in the form of a resolution approved by the governing body of the eligible employer or by any other body or officer authorized by law or recognized by the State Board to approve such resolution or action. Upon the filing of a certified copy of such resolution with the State Board, such election shall be irrevocable and the eligible municipality shall become a participating municipality on the first day of the month immediately following the filing of such election with the State Board.

B. The State Board shall have final authority in determining eligibility for membership in the System, pursuant to the provisions of this article. A member claiming credit for prior municipal police service in Oklahoma shall file an application with the State Board. The date of filing such application shall be not more than ninety (90) days after the municipality's entry date. Any credit for such prior service shall not exceed five (5) years. Upon a favorable determination of the eligibility for and the amount of service credit under this section, the member shall pay the amount determined by the State Board pursuant to Section 50-111.4 of this title.

C. Any municipality that has a municipal police pension and retirement system prior to July 1, 1980, shall consolidate its system with the state System and become a participating municipality on the first entry date as provided in this article.

D. Any eligible employer of a municipality which is a participating employer in the Oklahoma Public Employees Retirement System on July 1, 1996, shall become a participating municipality of the Oklahoma Police Pension and Retirement System on September 1,

1996, if and only if a certified copy of a resolution approved by the governing body of the eligible employer or by any other body or officer authorized by law or recognized by the State Board to approve such a resolution, is filed with the State Board by August 15, 1996. Such election shall be irrevocable.

1. All eligible officers who are initially employed in such a position on or after September 1, 1996, shall be members of the Oklahoma Police Pension and Retirement System and shall have no right to participate in the Oklahoma Public Employees Retirement System.

2. All eligible officers who were employed in such a position prior to September 1, 1996, shall have the right to make a one-time election on or before September 1, 1996, to participate in the Oklahoma Police Pension and Retirement System or to remain in the Oklahoma Public Employees Retirement System.

a. Eligible officers electing to participate in the Oklahoma Police Pension and Retirement System shall be allowed to withdraw their accumulated contributions or elect a vested benefit in the Oklahoma Public Employees Retirement System as provided in Section 917 of Title 74 of the Oklahoma Statutes.

b. Eligible officers electing to participate in the Oklahoma Police Pension and Retirement System may file a claim for prior municipal police service in Oklahoma with the State Board and may receive the prior service credit upon payment for the service at the actuarial cost as determined by the State Board pursuant to Section 50-111.4 of this title. In no event, however, shall any eligible officer electing to participate in the Oklahoma Police Pension and Retirement System be allowed to receive credit or benefits in the Oklahoma Police Pension and Retirement System for years of

service for which the officer is already receiving or eligible to receive retirement credit or benefits in the Oklahoma Public Employees Retirement System.

c. No officer electing to participate in the Oklahoma Police Pension and Retirement System as authorized by this subsection shall be able to retire as a member of the System unless the member reaches a normal retirement date and completes the number of years of credited service which would otherwise be required of any other member of the System. Transferred service credit as authorized by subparagraph b of this paragraph shall not alter the member's normal retirement date or vesting requirements. The transferred credited service will be added after the member reaches normal retirement date or vesting date.

SECTION 2. This act shall become effective July 1, 1996.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 11th day of April, 1996.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate