

SHORT TITLE: Oklahoma Firefighters Pension and Retirement System;
clarifying language relating to retirement for disability.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1187

By: Robinson

AS INTRODUCED

An Act relating to the Oklahoma Firefighters Pension and Retirement System; amending 11 O.S. 1991, Section 49-109, which relates to retirement for disability; and clarifying language.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 49-109, is amended to read as follows:

Section 49-109. Whenever any fire fighter serving in any capacity in a regularly constituted fire department of a municipality shall become so physically or mentally disabled as to prevent the effective performance of the fire fighter's duties while in, and in consequence of, the performance of the fire fighter's duty, the ~~State~~ Oklahoma Firefighters Pension and Retirement Board may, upon the fire fighter's written request, or without such request if the ~~State~~ Board deems it for the good of the department, retire the fire fighter from active service, and if so retired, shall direct that the fire fighter be paid from the System a monthly pension of one-half (1/2) of the average monthly salary which was paid to the fire fighter during the last thirty (30) months of the fire fighter's service, provided that whenever such disability shall cease such disability pension shall cease; provided, that if the disability ceases within two (2) years from the date of the fire fighter's disability retirement, the formerly disabled person shall

be restored to active service at the salary attached to the rank the fire fighter held at the time of the fire fighter's disability retirement provided the fire fighter is capable of performing the duties of a fire fighter. No fire fighter shall accrue additional service time while receiving a disability pension; provided further, that nothing herein contained shall affect the eligibility of any fire fighter to apply for and receive a retirement pension after the fire fighter's normal retirement date; provided further, that no fire fighter shall receive retirement benefits from the System during the time the fire fighter is receiving disability benefits from the System; provided further, that whenever any such fire fighter, who has served in any capacity in a regularly constituted fire department of a municipality of the state, who has served less than the fire fighter's normal retirement date, shall become so physically or mentally disabled as to prevent the effective performance of the fire fighter's duties or shall suffer death from causes not arising in the line of duty, the fire fighter or beneficiaries shall be entitled to a pension during the continuance of said disability based upon the fire fighter's service period which shall be one-half (1/2) of the average monthly salary which was paid to the fire fighter during the last sixty (60) months of the fire fighter's service.

46-2-2503

SJ