

SB 252

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THE STATE SENATE
Thursday, February 17, 2005

Senate Bill No. 252

As Amended

SENATE BILL NO. 252 - By: REYNOLDS of the Senate and TERRILL of the House.

[retirement - Oklahoma Police Pension and Retirement System
- certain exemptions of certain deputy police chiefs -
effective date -
emergency]

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

SECTION 1. AMENDATORY 11 O.S. 2001, Section 50-112, as last amended by Section 1, Chapter 434, O.S.L. 2004 (11 O.S. Supp. 2004, 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 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 conditions the requirements of which shall be established by the State Board. The person shall be required to complete this physical-medical examination prior to the

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

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

21 C. A member of the System who has attained his or her normal
22 retirement date may, if the member so elects, agree to terminate
23 employment and retire as a member of the System and make an election

1 to receive distributions from the System. If a retired member is
2 reemployed by a participating municipality in the position of police
3 chief or deputy police chief, or in a position which is not covered
4 by the System, retirement shall include receipt by such retired
5 member of in-service distributions from the System.

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

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

23 SECTION 2. This act shall become effective July 1, 2005.

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

5 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND GROUP HEALTH, dated
6 2-8-05 - DO PASS, As Amended and Coauthored.