

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1443

By: Coody

AS INTRODUCED

An Act relating to public retirement systems; authorizing common school districts to enter into certain agreements; specifying nature of agreement related to payment to persons eligible to retire from the Teachers' Retirement System of Oklahoma; providing for computation of payment amount pursuant to agreement; imposing maximum duration of payment period related to eligibility for certain Social Security benefits; requiring assistance from the Teachers' Retirement System of Oklahoma; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 17-116.11A of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A common school district shall be authorized to make payment from funds available to such district to a person employed by such district who is eligible to retire from the Teachers' Retirement System of Oklahoma and who retires pursuant to the provisions of this section.

B. A common school district may enter into an agreement with a person described in subsection A of this section pursuant to which the school district will make payment to the person of an amount equal to the difference between:

1. The retirement benefit the person receives pursuant to Section 17-116.2 of Title 70 of the Oklahoma Statutes based upon the multiplier then in effect, multiplied by the person's final average

salary, multiplied by the person's creditable service in the retirement system; and

2. The amount of the retirement benefit that the person would have received if the person had performed an additional five (5) years of participating service for the school district at the compensation level in effect for the member as of the last day of employment with the school district prior to retirement.

C. The maximum duration of payments pursuant to an agreement authorized by this section shall not exceed a period of five (5) years or the period of time within which the retired member becomes eligible for one hundred percent (100%) of Social Security benefits as authorized by law for such person, whichever period expires first.

D. The Teachers' Retirement System of Oklahoma shall make information available to school districts entering into the agreement authorized by this section and shall provide assistance as may be required for computation of retirement benefits using the additional years of service added to the member's actual participating service for purposes of calculating the school district's obligation pursuant to the agreement.

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

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.

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