

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1855

By: Corn

AS INTRODUCED

An Act relating to retirement; allowing district attorney investigators to elect to participate in certain retirement system; providing for transfer of certain contributions; providing irrevocable written election to transfer service credit or receive prorated service credit to district attorney investigators; providing for treatment of certain transferred credit; canceling certain service credit; requiring district investigators hired on or after certain date to participate in the Oklahoma Law Enforcement Retirement System; 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 2-316 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Any district attorney investigator who was employed in such a position on June 30, 2006, may make an irrevocable written election on or before January 1, 2007, to participate in the Oklahoma Law Enforcement Retirement System. Such district attorney investigators who make the election as provided by this section shall be subject to the following:

1. Upon the date the district attorney investigator makes the election pursuant to this section, he or she shall cease accruing benefits in the Oklahoma Public Employees Retirement System and shall commence accruing benefits in the Oklahoma Law Enforcement Retirement System;

2. Prior to the beginning of the month following receipt of the district attorney investigator's election by the Oklahoma Public

Employees Retirement System, the Oklahoma Public Employees Retirement System shall transfer to the Oklahoma Law Enforcement Retirement System all employee contributions and employer contributions including any amounts received by the Oklahoma Public Employees Retirement System on behalf of a transferring member related to a purchase or transfer of credited service to the Oklahoma Public Employees Retirement System. The Oklahoma Public Employees Retirement System shall also send to the Oklahoma Law Enforcement Retirement System the retirement records of the transferring member;

3. To receive service credit accrued by such transferring member prior to the election, or prior to the date as of which the person making the election ceases to be a member of the Oklahoma Public Employees Retirement System, whichever date occurs last, the member shall make an irrevocable written election. The election shall be to either pay the difference between the amount transferred by the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System in paragraph 2 of this subsection and the amount determined by the Board of Trustees pursuant to Section 2-307.5 of Title 47 of the Oklahoma Statutes to receive full eligible credit for the years sought to be transferred or receive eligible prorated service credit for only the amount received from the Oklahoma Public Employees Retirement System pursuant to this subsection. Payments made by such transferring members pursuant to this paragraph shall be made pursuant to subsection B of Section 2-307.5 of Title 47 of the Oklahoma Statutes;

4. Service credit shall only be transferable pursuant to this section if the transferring member is not receiving or eligible to receive service credit or benefits from said service in any other public retirement system and has not received service credit for the same years of service pursuant to Sections 2-307.1, 2-307.3 and 2-307.4 of Title 47 of the Oklahoma Statutes. Only transferred

credited service related to service as a district attorney investigator and any service purchased pursuant to paragraph 3 of subsection A of this section, if any, shall be included in the determination of an investigator's normal retirement date or vesting date in the Oklahoma Law Enforcement Retirement System; and

5. All service credit with the Oklahoma Public Employees Retirement System which is ineligible for transfer to the Oklahoma Law Enforcement System shall be canceled.

B. District attorney investigators who are hired on or after the effective date of this act shall participate and be members of the Oklahoma Law Enforcement Retirement System.

SECTION 2. This act shall become effective July 1, 2006.

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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