

1 ENGROSSED SENATE  
2 BILL NO. 1370

By: Johnson (Mike),  
Crutchfield, Myers and  
Adelson of the Senate

3  
4 And

5 Miller and Jones of the  
6 House

7  
8  
9 [ state employees - Oklahoma State Employees Deferred  
10 Savings Incentive Plan -  
11 effective date ]

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 74 O.S. 2001, Section 1707, as  
15 amended by Section 10, Chapter 438, O.S.L. 2002 (74 O.S. Supp. 2007,  
16 Section 1707), is amended to read as follows:

17 Section 1707. A. Effective January 1, 1998, for each qualified  
18 participant as defined in this section who is a state employee as  
19 defined ~~in~~ under this section, the Oklahoma Public Employees  
20 Retirement System shall pay each month from funds appropriated or  
21 deposited to the Oklahoma State Employees Deferred Savings Incentive  
22 Plan Fund created pursuant to this section the sum of Twenty-five  
23 Dollars (\$25.00) to a plan established pursuant to the Internal  
24 Revenue Code, Section 401(a), for the benefit of the employee;

1 provided, if monies in the fund are insufficient to fully fund the  
2 contributions in any month, payments shall be suspended until such  
3 time as sufficient monies are available. Employees receiving  
4 payroll other than monthly shall have an amount contributed which is  
5 equivalent to Twenty-five Dollars (\$25.00) per month.

6 B. For the purposes of this section, "qualified participant"  
7 means a state employee as defined in this section who is an active  
8 participant in the Oklahoma State Employees Deferred Compensation  
9 Plan making deferrals of at least Twenty-five Dollars (\$25.00) per  
10 month. Effective July 1, 2000, each qualified participant shall be  
11 eligible for a contribution of Twenty-five Dollars (\$25.00) to the  
12 Oklahoma State Employees Deferred Savings Incentive Plan beginning  
13 with the first employee deferral into the Oklahoma State Employees  
14 Deferred Compensation Plan. The Administrator of the Office of  
15 Personnel Management and the Director of State Finance shall be  
16 responsible for the provision of such information and assistance as  
17 may be necessary to determine which employees are qualified  
18 participants and shall provide for appropriate payroll transactions  
19 to accomplish contributions to the Oklahoma State Employees Deferred  
20 Savings Incentive Plan and the Oklahoma State Employees Deferred  
21 Compensation Plan. The Oklahoma Public Employees Retirement System  
22 shall be responsible for establishing rules and plan documents for  
23 administration of such contributions. Funds so credited shall be  
24 held and invested in the same manner as the Oklahoma State Employees

1 Deferred Compensation Plan, as provided in Section 1701 of this  
2 title.

3 C. For the purposes of this section, "state employee" means any  
4 officer or employee of the executive, legislative, or judicial  
5 branches of the government of this state who is an active member of  
6 a public retirement system of this state, but does not include:

7 1. Employees of the public elementary, secondary, or area  
8 vocational school districts;

9 2. Employees of The Oklahoma State System of Higher Education  
10 except employees of the Oklahoma State Regents ~~of~~ for Higher  
11 Education, employees of the governing boards and employees of the  
12 Board of Regents of the University of Oklahoma who are participating  
13 members of the Oklahoma Public Employees Retirement System;

14 3. Persons on temporary, student, internship, or other limited-  
15 term appointments except for Executive Fellows in the Carl Albert  
16 Public Internship Program created in Section 840-3.4 of this title;  
17 or

18 4. Persons employed pursuant to Section 1.6a of Title 53 of the  
19 Oklahoma Statutes or Section 1806.1 of this title.

20 D. No public official shall be able to make contributions to  
21 the Section 401(a) plan described by this section during a term of  
22 office which commenced prior to July 1, 1997. A public official may  
23 make contributions to the Section 401(a) plan described by this  
24 section during a term of office which commences after July 1, 1997.

1 No legislator shall be eligible to make contributions to the Section  
2 401(a) plan described by this section until such contributions have  
3 been approved by the Board on Legislative Compensation. The  
4 provisions of this subsection shall be applicable only in the event  
5 that the Plan permits employee contributions.

6 E. There is hereby created in the State Treasury a revolving  
7 fund to be designated the "Oklahoma State Employees Deferred Savings  
8 Incentive Plan Fund". The fund shall be a continuing fund, not  
9 subject to fiscal year limitations, and shall consist of any monies  
10 the Legislature may appropriate or transfer to the fund and any  
11 monies contributed for the fund from any other sources, public or  
12 private. All monies accruing to the credit of said fund are hereby  
13 appropriated and may be budgeted and expended by the Oklahoma Public  
14 Employees Retirement System for the matching of deferred  
15 compensation contributions pursuant to this section and in  
16 accordance with rules promulgated by the Oklahoma Public Employees  
17 Retirement System and for reimbursement of expenses for  
18 administration of the Oklahoma State Employees Deferred Savings  
19 Incentive Plan and the Oklahoma State Employees Deferred  
20 Compensation Plan. Expenditures from the fund shall be made by  
21 warrants issued by the State Treasurer against claims filed as  
22 prescribed by law with the Director of State Finance for approval  
23 and payment.

24

1 F. Effective July 1, 2000, every employer which has state  
2 employees participating in the Oklahoma State Employees Deferred  
3 Savings Incentive Plan shall pay to the ~~Fund~~ fund an amount equal to  
4 Twenty-five Dollars (\$25.00) each month for each qualified  
5 participant as defined in this section, along with an amount to  
6 reimburse the cost of administration of the Oklahoma State Employees  
7 Deferred Savings Incentive Plan and the Oklahoma State Employees  
8 Deferred Compensation Plan for each qualified participant, as  
9 determined by the Board.

10 1. The Board shall certify each year to the Office of State  
11 Finance the determined amount for the administrative cost of the  
12 Oklahoma State Employees Deferred Savings Incentive Plan and the  
13 Oklahoma State Employees Deferred Compensation Plan which will be  
14 required to be paid for each qualified participant. The Board of  
15 Trustees shall promulgate such rules as are necessary to implement  
16 the provisions of this subsection and provide the methodology for  
17 the determination.

18 2. Each employer shall pay at least monthly to the ~~Fund~~ fund  
19 the sum sufficient to satisfy the obligation under this section as  
20 certified by the Board.

21 3. Each employer is hereby authorized to pay the employer's  
22 contribution from the same fund that the compensation for which said  
23 contribution is paid from or from any other funds available to it  
24 for such purpose.

