

1 ENGROSSED SENATE  
2 BILL NO. 1637

By: Aldridge of the Senate

and

Billy and Hilliard of the  
House

7 An Act relating to public retirement systems;  
8 authorizing retirement benefit increases for certain  
9 members of the Oklahoma Firefighters Pension and  
10 Retirement System, the Oklahoma Police Pension and  
11 Retirement System, the Uniform Retirement System for  
12 Justices and Judges, the Oklahoma Law Enforcement  
13 Retirement System, the Teachers' Retirement System of  
14 Oklahoma and the Oklahoma Public Employees Retirement  
15 System; specifying amount of benefit increase;  
16 authorizing annual benefit increase for certain  
17 members of the Oklahoma Firefighters Pension and  
18 Retirement System, the Oklahoma Police Pension and  
19 Retirement System, the Uniform Retirement System for  
20 Justices and Judges, the Oklahoma Law Enforcement  
21 Retirement System, the Teachers' Retirement System of  
22 Oklahoma and the Oklahoma Public Employees Retirement  
23 System; allowing the Legislature to suspend the  
24 increase in benefits if certain conditions exist;  
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 49-143.7 of Title 11, unless  
there is created a duplication in numbering, reads as follows:

A. Except as provided in subsection B of this section and  
except for persons receiving benefits pursuant to Section 49-101 of

1 Title 11 of the Oklahoma Statutes, effective July 1, 2010, any  
2 person who is receiving benefits from the Oklahoma Firefighters  
3 Pension and Retirement System as of June 30, 2009, who continues to  
4 receive benefits on or after July 1, 2010, shall receive a four-  
5 percent increase in said benefits beginning in July 2010.

6 B. Any increase in benefits a person is eligible to receive  
7 pursuant to repealed Section 49-136 of Title 11 of the Oklahoma  
8 Statutes after June 30, 2008, shall be used to offset the increase  
9 in benefits provided in subsection A of this section.

10 C. Effective July 1, 2010, any persons receiving benefits  
11 pursuant to Section 49-101 of Title 11 of the Oklahoma Statutes  
12 shall each receive a benefit equal to Seven Dollars and ninety-nine  
13 cents (\$7.99) for each year of credited service not to exceed thirty  
14 (30) years of service.

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 49-143.8 of Title 11, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Except as provided in subsection B of this section and  
19 except for persons receiving benefits pursuant to Section 49-101 of  
20 Title 11 of the Oklahoma Statutes, beginning July 1, 2011, and for  
21 each fiscal year thereafter subject to the Legislature's right to  
22 suspend this section at any time pursuant to subsection D of this  
23 section, any person who is receiving benefits from the Oklahoma  
24 Firefighters Pension and Retirement System as of June 30 of the

1 previous year shall receive a two-percent increase in said benefits.  
2 No active or retired member of the Oklahoma Firefighters Pension and  
3 Retirement System shall have a vested right to the potential  
4 increase in benefits or any other potential cost-of-living increase  
5 pursuant to this section.

6 B. Any increase in benefits provided for in subsection A of  
7 this section that an eligible person receives shall be offset, if  
8 applicable, by any increase in the previous twelve (12) months, July  
9 1 of the previous year through June 30 of the current year, that an  
10 eligible person received pursuant to repealed Section 49-136 of  
11 Title 11 of the Oklahoma Statutes.

12 C. Beginning July 1, 2011, and for each fiscal year thereafter  
13 subject to the Legislature's right to suspend this section at any  
14 time pursuant to subsection D of this section, any persons receiving  
15 benefits pursuant to Section 49-101 of Title 11 of the Oklahoma  
16 Statutes shall each receive a benefit equal to Eight Dollars and  
17 fifteen cents (\$8.15) for each year of credited service not to  
18 exceed thirty (30) years of service. Beginning July 1, 2012, and  
19 for each fiscal year thereafter, the amount of the benefit provided  
20 for in this subsection shall be increased two percent (2%).

21 D. Beginning January 1, 2012, and for each year thereafter, the  
22 Legislature may suspend the increase in benefits for the upcoming  
23 fiscal year beginning in July of such year pursuant to a joint  
24

1 resolution if the Legislature deems the economic conditions of the  
2 System warrant a suspension for such fiscal year.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 50-136.9 of Title 11, unless  
5 there is created a duplication in numbering, reads as follows:

6 A. Except as provided in subsection B of this section, any  
7 person who is receiving benefits from the Oklahoma Police Pension  
8 and Retirement System as of June 30, 2009, who continues to receive  
9 benefits on or after July 1, 2010, shall receive a four-percent  
10 increase in said benefits beginning in July 2010.

11 B. Any increase in benefits a person is eligible to receive  
12 pursuant to repealed Section 50-120 of Title 11 of the Oklahoma  
13 Statutes after June 30, 2008, shall be offset by the increase in  
14 benefits, if any, provided by this section.

15 SECTION 4. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 50-136.10 of Title 11, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Except as provided in subsection B of this section,  
19 beginning July 1, 2011, and for each fiscal year thereafter subject  
20 to the Legislature's right to suspend this section at any time  
21 pursuant to subsection C of this section, any person who is  
22 receiving benefits from the Oklahoma Police Pension and Retirement  
23 System as of June 30 of the previous year shall receive a two-  
24 percent increase in said benefits. No active or retired member of

1 the Oklahoma Police Pension and Retirement System shall have a  
2 vested right to the potential increase in benefits or any other  
3 potential cost-of-living increase pursuant to this section.

4 B. Any increase in benefits provided for in subsection C of  
5 this section that an eligible person receives shall be offset, if  
6 applicable, by any increase in the previous twelve (12) months, July  
7 1 of the previous year through June 30 of the current year, that an  
8 eligible person received pursuant to repealed Section 50-120 of  
9 Title 11 of the Oklahoma Statutes.

10 C. Beginning January 1, 2012, and for each year thereafter, the  
11 Legislature may suspend the increase in benefits for the upcoming  
12 fiscal year beginning in July of such year pursuant to a joint  
13 resolution if the Legislature deems the economic conditions of the  
14 System warrant a suspension for such fiscal year.

15 SECTION 5. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1104K of Title 20, unless there  
17 is created a duplication in numbering, reads as follows:

18 Any person who is receiving benefits from the Uniform Retirement  
19 System for Justices and Judges as of June 30, 2009, who continues to  
20 receive benefits on or after July 1, 2010, shall receive a four-  
21 percent increase in said benefits beginning in July 2010.

22 SECTION 6. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1104L of Title 20, unless there  
24 is created a duplication in numbering, reads as follows:

1       A. Beginning July 1, 2011, and for each fiscal year thereafter  
2 subject to the Legislature's right to suspend this section at any  
3 time pursuant to subsection B of this section, any person who is  
4 receiving benefits from the Uniform Retirement System for Justices  
5 and Judges as of June 30 of the previous year shall receive a two-  
6 percent increase in said benefits. No active or retired member of  
7 the Uniform Retirement System for Justices and Judges shall have a  
8 vested right to the potential increase in benefits or another  
9 potential cost-of-living increase pursuant to this section.

10       B. Beginning January 1, 2012, and for each year thereafter, the  
11 Legislature may suspend the increase in benefits for the upcoming  
12 fiscal year beginning in July of such year pursuant to a joint  
13 resolution if the Legislature deems the economic conditions of the  
14 System warrant a suspension for such fiscal year.

15       SECTION 7.       NEW LAW       A new section of law to be codified  
16 in the Oklahoma Statutes as Section 2-305.12 of Title 47, unless  
17 there is created a duplication in numbering, reads as follows:

18       A. Except as provided in subsection B of this section, any  
19 person who is receiving benefits from the Oklahoma Law Enforcement  
20 Retirement System as of June 30, 2009, who continues to receive  
21 benefits on or after July 1, 2010, shall receive a four-percent  
22 increase in said benefits beginning in July 2010.

23       B. Any increase in benefits a person is eligible to receive  
24 pursuant to subsection B, C or D of Section 2-305 of Title 47 of the

1 Oklahoma Statutes, after June 30, 2010, shall be offset by the  
2 increase in benefits, if any, provided by this section.

3 SECTION 8. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 2-305.13 of Title 47, unless  
5 there is created a duplication in numbering, reads as follows:

6 A. Except as provided in subsection B of this section,  
7 beginning July 1, 2011, and for each fiscal year thereafter subject  
8 to the Legislature's right to suspend this section at any time  
9 pursuant to subsection C of this section, any person who is  
10 receiving benefits from the Oklahoma Law Enforcement Retirement  
11 System as of June 30 of the previous year shall receive a two-  
12 percent increase in said benefits. No active or retired member of  
13 the Oklahoma Law Enforcement Retirement System shall have a vested  
14 right to the potential increase in benefits or any other potential  
15 cost-of-living increase pursuant to this section.

16 B. Any increase in benefits provided for in subsection A of  
17 this section that an eligible person receives shall be offset, if  
18 applicable, by any increase in the previous twelve (12) months, July  
19 1 of the previous year through June 30 of the current year, that an  
20 eligible person received pursuant to subsection B, C or D of Section  
21 2-305 of Title 47 of the Oklahoma Statutes.

22 C. Beginning, January 1, 2012, and for each year thereafter,  
23 the Legislature may suspend the increase in benefits for the  
24 upcoming fiscal year beginning in July of such year pursuant to a

1 joint resolution if the Legislature deems the economic conditions of  
2 the System warrant a suspension for such fiscal year.

3 SECTION 9. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 17-116.22 of Title 70, unless  
5 there is created a duplication in numbering, reads as follows:

6 A. Any person who is receiving benefits from the Teachers'  
7 Retirement System of Oklahoma as of June 30, 2009, other than those  
8 benefits specified in subsection B of this section, who continues to  
9 receive benefits on or after July 1, 2010, shall receive a two-  
10 percent increase in said benefits beginning in July 2010.

11 B. Any person receiving benefits pursuant to subsection (3) of  
12 Section 17-105 of Title 70 of the Oklahoma Statutes whose benefits  
13 commenced prior to July 1, 2009, and who continues to receive  
14 benefits on or after July 1, 2010, shall receive a two-percent  
15 increase in said benefits beginning in July 2010.

16 SECTION 10. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 17-116.23 of Title 70, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. Beginning July 1, 2011, and for each fiscal year thereafter  
20 subject to the Legislature's right to suspend this section at any  
21 time pursuant to subsection B of this section, any person who is  
22 receiving benefits from the Teachers' Retirement System of Oklahoma  
23 as of June 30 of the previous year shall receive a one-percent  
24 increase in said benefits. No active or retired member of the

1 Teachers' Retirement System of Oklahoma shall have a vested right to  
2 the potential increase in benefits or any other potential cost-of-  
3 living increase pursuant to this section.

4 B. Beginning January 1, 2012, and for each year thereafter, the  
5 Legislature may suspend the increase in benefits for the upcoming  
6 fiscal year beginning in July of such year pursuant to a joint  
7 resolution if the Legislature deems the economic conditions of the  
8 System warrant a suspension for such fiscal year.

9 SECTION 11. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 930.11 of Title 74, unless there  
11 is created a duplication in numbering, reads as follows:

12 Any person who is receiving benefits from the Oklahoma Public  
13 Employees Retirement System as of June 30, 2009, who continues to  
14 receive benefits on or after July 1, 2010, shall receive a four-  
15 percent increase in said benefits beginning in July 2010.

16 SECTION 12. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 930.12 of Title 74, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Beginning July 1, 2011, and for each fiscal year thereafter  
20 subject to the Legislature's right to suspend this section at any  
21 time pursuant to subsection B of this section, any person who is  
22 receiving benefits from the Oklahoma Public Employees Retirement  
23 System as of June 30 of the previous year shall receive a two-  
24 percent increase in said benefits. No active or retired member of

1 the Oklahoma Public Employees Retirement System shall have a vested  
2 right to the potential increase in benefits or any other potential  
3 cost-of-living increase pursuant to this section.

4 B. Beginning January 1, 2012, and for each year thereafter, the  
5 Legislature may suspend the increase in benefits for the upcoming  
6 fiscal year beginning in July of such year pursuant to a joint  
7 resolution if the Legislature deems the economic conditions of the  
8 System warrant a suspension for such fiscal year.

9 SECTION 13. This act shall become effective July 1, 2010.

10 SECTION 14. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14 Passed the Senate the 24th day of February, 2010.

15

16

\_\_\_\_\_  
Presiding Officer of the Senate

17

18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
19 2010.

20

21

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

22

23

24