

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 1010

By: McDaniel (Randy) of the
House

and

Mazzei of the Senate

8 An Act relating to public retirement systems;
amending 20 O.S. 2001, Sections 1102, as last amended
9 by Section 4, Chapter 435, O.S.L. 2010 and 1104, as
last amended by Section 6, Chapter 464, O.S.L. 2005
10 (20 O.S. Supp. 2010, Sections 1102 and 1104), which
relate to The Uniform Retirement System for Justices
11 and Judges; modifying provisions related to normal
retirement age; modifying factor used in retirement
12 benefit computations for persons with specified date
of initial membership; and providing an effective
13 date.

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15 AUTHOR: Add the following Senate Coauthor: Crain

16 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

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18 "An Act relating to public retirement systems;
amending 20 O.S. 2001, Section 1102, as last amended
19 by Section 4, Chapter 435, O.S.L. 2010 (20 O.S. Supp.
2010, Section 1102), which relates to The Uniform
20 Retirement System for Justices and Judges; modifying
provisions related to normal retirement age; and
21 providing an effective date.

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

1 SECTION 1. AMENDATORY 20 O.S. 2001, Section 1102, as
2 last amended by Section 4, Chapter 435, O.S.L. 2010 (20 O.S. Supp.
3 2010, Section 1102), is amended to read as follows:

4 Section 1102. A. Any Justice or Judge of the Supreme Court,
5 Court of Criminal Appeals, Workers' Compensation Court, Court of
6 Appeals or District Court who serves as Justice or judge of any of
7 said courts in the State of Oklahoma shall be a member of ~~the~~ The
8 Uniform Retirement System for Justices and Judges. ~~Any such member~~
9 For members whose initial service as a member of the System began
10 prior to January 1, 2012, such member who serves for a period of
11 eight (8) years or longer and upon reaching or passing the age of
12 sixty-five (65) years, or who serves for a period of ten (10) years
13 or longer and upon reaching or passing the age of sixty (60) years,
14 or whose sum of years of service and age equal or exceeds eighty
15 (80), after completing eight (8) years of judicial service, shall be
16 eligible to receive the retirement benefits herein provided. For
17 members whose initial service as a member of the System began on or
18 after January 1, 2012, such member who serves for a period of eight
19 (8) years or longer and upon reaching or passing the age of sixty-
20 seven (67) years or who serves for a period of ten (10) years or
21 longer and upon reaching or passing the age of sixty-two (62) years
22 shall be eligible to receive the retirement benefits herein
23 provided. In determining the periods of time above mentioned a
24 major fraction of a year shall count as a whole year. If such

1 Justice or judge is still serving in such capacity when the above
2 requirements are complied with, the Justice or judge may elect to
3 retire and may elect whether such retirement shall become effective
4 immediately or at a specified time within the term of the Justice or
5 judge or at the expiration of the term of the Justice or judge. The
6 Justice or judge shall file a written declaration with the System
7 and the Court Administrator of his or her desire to retire. The
8 Court Administrator shall notify the Governor within five (5)
9 business days of receiving the Notice of Retirement.

10 B. Upon filing of an election by any Justice or judge to retire
11 as authorized by Section 1101 et seq. of this title, the office held
12 by such Justice or judge shall become vacated immediately or at the
13 specified time within the term of the Justice or judge, or at the
14 expiration of the term of the Justice or judge in accordance with
15 the election of the Justice or judge desiring retirement status.
16 Any such vacancy so created shall be filled in the manner provided
17 by law and the Constitution.

18 C. If any retired member of the System should be elected or
19 appointed to any judicial or other office covered by the System, the
20 retirement compensation of the retired member shall be suspended
21 during the period of time that the retired member holds such office
22 and be reinstated upon leaving such office. Notwithstanding any
23 other provision of this section or any other provision of law to the
24 contrary, a retired Justice or judge shall be permitted to be

1 employed by any college or university within The Oklahoma State
2 System of Higher Education as a full-time or part-time member of the
3 faculty or as a teacher in any common school or career and
4 technology education entity without suspension of retirement
5 benefits.

6 SECTION 2. This act shall become effective January 1, 2012."

7 Passed the Senate the 26th day of April, 2011.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,

12 2011.

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Presiding Officer of the House
of Representatives

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