

STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1010

By: McDaniel (Randy) of the House

and

Mazzei of the Senate

COMMITTEE SUBSTITUTE

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

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

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

Section 1102. A. Any Justice or Judge of the Supreme Court, Court of Criminal Appeals, Workers' Compensation Court, Court of Appeals or District Court who serves as Justice or judge of any of said courts in the State of Oklahoma shall be a member of ~~the~~ The Uniform Retirement System for Justices and Judges. Any such member who serves for a period of eight (8) years or longer and upon

1 reaching or passing the age of sixty-five (65) years, or who serves
2 for a period of ten (10) years or longer and upon reaching or
3 passing the age of sixty (60) years, or whose sum of years of
4 service and age equal or exceeds eighty (80), after completing eight
5 (8) years of judicial service, shall be eligible to receive the
6 retirement benefits herein provided. For members whose initial
7 service as a member of the System is performed on or after January
8 1, 2012, such member who serves for a period of eight (8) years or
9 longer and upon reaching or passing the age of sixty-seven (67)
10 years or who serves for a period of ten (10) years or longer and
11 upon reaching or passing the age of sixty-two (62) years shall be
12 eligible to receive the retirement benefits herein provided. In
13 determining the periods of time above mentioned a major fraction of
14 a year shall count as a whole year. If such Justice or judge is
15 still serving in such capacity when the above requirements are
16 complied with, the Justice or judge may elect to retire and may
17 elect whether such retirement shall become effective immediately or
18 at a specified time within the term of the Justice or judge or at
19 the expiration of the term of the Justice or judge. The Justice or
20 judge shall file a written declaration with the System and the Court
21 Administrator of his or her desire to retire. The Court
22 Administrator shall notify the Governor within five (5) business
23 days of receiving the Notice of Retirement.

24

1 B. Upon filing of an election by any Justice or judge to retire
2 as authorized by Section 1101 et seq. of this title, the office held
3 by such Justice or judge shall become vacated immediately or at the
4 specified time within the term of the Justice or judge, or at the
5 expiration of the term of the Justice or judge in accordance with
6 the election of the Justice or judge desiring retirement status.
7 Any such vacancy so created shall be filled in the manner provided
8 by law and the Constitution.

9 C. If any retired member of the System should be elected or
10 appointed to any judicial or other office covered by the System, the
11 retirement compensation of the retired member shall be suspended
12 during the period of time that the retired member holds such office
13 and be reinstated upon leaving such office. Notwithstanding any
14 other provision of this section or any other provision of law to the
15 contrary, a retired Justice or judge shall be permitted to be
16 employed by any college or university within The Oklahoma State
17 System of Higher Education as a full-time or part-time member of the
18 faculty or as a teacher in any common school or career and
19 technology education entity without suspension of retirement
20 benefits.

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

53-1-1640 ARE 3/29/2011 2:11:51 PM