

**SENATE FLOOR VERSION**

April 4, 2011

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COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1010

By: McDaniel (Randy) of the  
House

and

Mazzei of the Senate

[ public retirement systems - The Uniform Retirement  
System for Justices and Judges - normal retirement  
age - 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~~  
For members whose initial service as a member of the System began  
prior to January 1, 2012, such member who serves for a period of

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

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

22        COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT & INSURANCE, dated  
23 3-31-11 - DO PASS, As Amended.  
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