

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2722

By: Inman

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5
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.
8 2011, Section 3103, which relates to the Oklahoma
9 Pension Legislation Actuarial Analysis Act; modifying
10 definitions; requiring notice regarding furlough;
11 prescribing content of notice; providing for
12 codification; providing an effective date; and
13 declaring an emergency.

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

15 SECTION 1. AMENDATORY 62 O.S. 2011, Section 3103, is
16 amended to read as follows:

17 Section 3103. As used in the Oklahoma Pension Legislation
18 Actuarial Analysis Act:

19 1. "Amendment" means any amendment, including a substitute
20 bill, made to a retirement bill by any committee of the House or
21 Senate, any conference committee of the House or Senate or by the
22 House or Senate;

23 2. "RB number" means that number preceded by the letters "RB"
24 assigned to a retirement bill by the respective staffs of the
Oklahoma State Senate and the Oklahoma House of Representatives when

1 the respective staff office prepares a retirement bill for a member
2 of the Legislature;

3 3. "Legislative Actuary" means the firm or entity that enters
4 into a contract with the Legislative Service Bureau pursuant to
5 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the
6 actuarial services and other duties provided for in the Oklahoma
7 Pension Legislation Actuarial Analysis Act;

8 4. "Nonfiscal amendment" means an amendment to a retirement
9 bill having a fiscal impact, which amendment does not change any
10 factor of an actuarial investigation specified in subsection A of
11 Section 3109 of this title;

12 5. "Nonfiscal retirement bill" means a retirement bill which
13 does not affect the cost or funding factors of a retirement system
14 or a retirement bill which affects such factors only in a manner
15 which does not:

16 a. grant a benefit increase under the retirement system
17 affected by the bill, except for cost-of-living
18 adjustments provided to retirees of the retirement
19 system, if the funded status of the retirement system
20 is equal to or greater than eighty percent (80%) after
21 the cost-of-living adjustment has been granted. As
22 used in this subparagraph, "funded status" shall mean
23 the ratio obtained by dividing the actuarial value of
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1 retirement system assets by the retirement system
2 actuarial accrued liability,

3 b. create an actuarial accrued liability for or increase
4 the actuarial accrued liability of the retirement
5 system affected by the bill, or

6 c. increase the normal cost of the retirement system
7 affected by the bill except as otherwise provided by
8 subparagraph a of this paragraph.

9 A nonfiscal retirement bill shall include any retirement bill that
10 has as its sole purpose the appropriation or distribution or
11 redistribution of monies in some manner to a retirement system for
12 purposes of reducing the unfunded liability of such system or the
13 earmarking of a portion of the revenue from a tax to a retirement
14 system or increasing the percentage of the revenue earmarked from a
15 tax to a retirement system~~;~~;

16 6. "Reduction in cost amendment" means an amendment to a
17 retirement bill having a fiscal impact which reduces the cost of the
18 bill as such cost is determined by the actuarial investigation for
19 the bill prepared pursuant to Section 3109 of this title;

20 7. "Retirement bill" means any bill or joint resolution
21 introduced or any bill or joint resolution amended by a member of
22 the Oklahoma Legislature which creates or amends any law directly
23 affecting a retirement system. A retirement bill shall not mean a
24 bill or resolution that impacts the revenue of any state tax in

1 which a portion of the revenue generated from such tax is earmarked
2 for the benefit of a retirement system;

3 8. "Retirement bill having a fiscal impact" means any
4 retirement bill creating or establishing a retirement system and any
5 other retirement bill other than a nonfiscal retirement bill; and

6 9. "Retirement system" means the Teachers' Retirement System of
7 Oklahoma, the Oklahoma Public Employees Retirement System, the
8 Uniform Retirement System for Justices and Judges, the Oklahoma
9 Firefighters Pension and Retirement System, the Oklahoma Police
10 Pension and Retirement System, the Oklahoma Law Enforcement
11 Retirement System, or a retirement system established after January
12 1, 2006.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 840-2.20C of Title 74, unless
15 there is created a duplication in numbering, reads as follows:

16 Each agency, as defined by Section 840-1.3 of Title 74 of the
17 Oklahoma Statutes, shall provide a written notice to any employee of
18 such agency who will be furloughed by the agency at least thirty
19 (30) days prior to the first date that the furlough period is
20 scheduled to begin. The notice shall provide information about the
21 anticipated first date of the furlough period and an estimate of the
22 duration of the furlough or the day or days during which the
23 furlough will be in effect.

24 SECTION 3. This act shall become effective July 1, 2012.

1 SECTION 4. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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