

SENATE FLOOR VERSION

March 30, 2015

AS AMENDED

ENGROSSED HOUSE
BILL NO. 2005

By: Sanders, Bennett, Roberts
(Dustin), Sherrer,
Cockroft, Hoskin, and
Murphey of the House

and

Griffin of the Senate

**[Oklahoma Firefighters Pension and Retirement System
- certain age restriction - effective date]**

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 49-135, as amended by Section 7, Chapter 281, O.S.L. 2014 (11 O.S. Supp. 2014, Section 49-135), is amended to read as follows:

Section 49-135. A. No person shall be employed in a fire department who has reached the age of forty-five (45) years, unless it appears he or she shall become eligible for retirement at the age of sixty-five (65) years, or at the age of sixty-seven (67) years for a firefighter whose first service with a participating employer of the System occurs on or after November 1, 2013, or unless he or she be retired from a municipal fire department in the State of Oklahoma. This section shall not apply to professional engineers,

1 or to persons employed as technical specialists on a temporary
2 basis. The State Board shall be authorized to establish the maximum
3 age, within the limits herein prescribed, over which an applicant
4 may not be considered for initial employment, but no person shall be
5 prohibited from making application for reemployment and having such
6 reemployment application considered merely because of his or her
7 age, provided that such person be under the age of forty-five (45)
8 years, and provided further, that such reemployment shall be with
9 the consent of the fire chief of such municipality.

10 B. On or after the effective date of this act, a person who
11 performs volunteer services as a firefighter, who has attained the
12 age of forty-five (45) or more years as of the first date such
13 volunteer services are performed, for a municipality or a county
14 shall not be eligible to be a member of the Oklahoma Firefighters
15 Pension and Retirement System for any purpose, shall not be eligible
16 for any benefit payable by the System and shall not receive any form
17 of service credit from the System resulting from such volunteer
18 services. The person responsible for decisions regarding the
19 performance of firefighting services having jurisdiction, which in
20 the absence of any other requirement to the contrary shall be the
21 Fire Chief, shall make the final determination on applicants for
22 positions that would involve the performance of volunteer
23 firefighting services if the applicant is over the age of forty-five
24

1 (45) years based on local rules, regulations, ordinances, guidelines
2 and standard operating procedures.

3 SECTION 2. This act shall become effective November 1, 2015.

4 COMMITTEE REPORT BY: COMMITTEE ON PENSIONS
5 March 30, 2015 - DO PASS AS AMENDED
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