

HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2985

By: Frix

COMMITTEE SUBSTITUTE

An Act relating to public retirement systems;
amending 62 O.S. 2011, Section 3103, which relates to
the Oklahoma Pension Legislation Actuarial Analysis
Act; modifying definition; authorizing benefit
increase for certain retired members of the Oklahoma
Firefighters Pension and Retirement System; providing
for offset; authorizing benefit increase for certain
retired members of the Oklahoma Police Pension and
Retirement System; providing for offset; authorizing
retirement benefit increase for certain members of
the Uniform Retirement System for Justices and
Judges; authorizing retirement benefit increase for
certain retired members of the Oklahoma Law
Enforcement Retirement System; providing for offset;
authorizing retirement benefit increase for certain
retired members of the Teachers' Retirement System of
Oklahoma; authorizing retirement benefit increase for
certain retired members of the Oklahoma Public
Employees Retirement System; providing for
codification; and providing effective dates.

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

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

1 Section 3103. As used in the Oklahoma Pension Legislation
2 Actuarial Analysis Act:

3 1. "Amendment" means any amendment, including a substitute
4 bill, made to a retirement bill by any committee of the House or
5 Senate, any conference committee of the House or Senate or by the
6 House or Senate;

7 2. "RB number" means that number preceded by the letters "RB"
8 assigned to a retirement bill by the respective staffs of the
9 Oklahoma State Senate and the Oklahoma House of Representatives when
10 the respective staff office prepares a retirement bill for a member
11 of the Legislature;

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

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

21 5. "Nonfiscal retirement bill" means a retirement bill which
22 does not affect the cost or funding factors of a retirement system
23 or a retirement bill which affects such factors only in a manner
24 which does not:

1 a. grant a benefit increase under the retirement system
2 affected by the bill except for cost-of-living
3 adjustments provided to retirees of the retirement
4 system,

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

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

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

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

22 7. "Retirement bill" means any bill or joint resolution
23 introduced or any bill or joint resolution amended by a member of
24 the Oklahoma Legislature which creates or amends any law directly

1 affecting a retirement system. A retirement bill shall not mean a
2 bill or resolution that impacts the revenue of any state tax in
3 which a portion of the revenue generated from such tax is earmarked
4 for the benefit of a retirement system;

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

8 9. "Retirement system" means the Teachers' Retirement System of
9 Oklahoma, the Oklahoma Public Employees Retirement System, the
10 Uniform Retirement System for Justices and Judges, the Oklahoma
11 Firefighters Pension and Retirement System, the Oklahoma Police
12 Pension and Retirement System, the Oklahoma Law Enforcement
13 Retirement System, or a retirement system established after January
14 1, 2006.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 49-143.7 of Title 11, unless
17 there is created a duplication in numbering, reads as follows:

18 A. Except as provided in subsection B of this section and
19 except for persons receiving benefits pursuant to Section 49-101 of
20 Title 11 of the Oklahoma Statutes, effective November 1, 2018, any
21 person receiving benefits from the Oklahoma Firefighters Pension and
22 Retirement System as of November 30, 2017, who continues to receive
23 benefits on or after November 1, 2018, shall receive a four-percent
24 increase in said benefits on November 1, 2018.

1 B. Any increase in benefits a person is eligible to receive
2 pursuant to repealed Section 49-136 of Title 11 of the Oklahoma
3 Statutes after November 30, 2016, shall be used to offset the
4 increase in benefits provided in subsection A of this section.

5 C. Effective November 1, 2018, any persons receiving benefits
6 pursuant to Section 49-101 of Title 11 of the Oklahoma Statutes
7 shall each receive a benefit equal to Seven Dollars and eighty-three
8 cents (\$7.83) for each year of credited service not to exceed thirty
9 (30) years of service.

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 50-136.9 of Title 11, unless
12 there is created a duplication in numbering, reads as follows:

13 A. Except as provided in subsection B of this section, any
14 person receiving benefits from the Oklahoma Police Pension and
15 Retirement System as of November 30, 2017, who continues to receive
16 benefits on or after November 1, 2018, shall receive a four-percent
17 increase in said benefits on November 1, 2018.

18 B. Any increase in benefits a person is eligible to receive
19 pursuant to repealed Section 50-120 of Title 11 of the Oklahoma
20 Statutes, after November 30, 2016, shall be offset by the increase
21 in benefits, if any, provided by this section.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1104K of Title 20, unless there
24 is created a duplication in numbering, reads as follows:

1 Any person receiving benefits from the Uniform Retirement System
2 for Justices and Judges as of November 30, 2017, who continues to
3 receive benefits on or after November 1, 2018, shall receive a four-
4 percent increase in said benefits beginning in November 2018.

5 SECTION 5. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 2-305.12 of Title 47, unless
7 there is created a duplication in numbering, reads as follows:

8 A. Except as provided in subsection B of this section, any
9 person receiving benefits from the Oklahoma Law Enforcement
10 Retirement System as of November 30, 2017, who continues to receive
11 benefits on or after November 1, 2018, shall receive a four-percent
12 increase in said benefits beginning in November 2018.

13 B. Any increase in benefits a person is eligible to receive
14 pursuant to subsection B, C or D of Section 2-305 of Title 47 of the
15 Oklahoma Statutes, after November 30, 2018, shall be offset by the
16 increase in benefits, if any, provided by this section.

17 SECTION 6. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 17-116.22 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Any person receiving benefits from the Teachers' Retirement
21 System of Oklahoma as of November 30, 2017, other than those
22 benefits specified in subsection B of this section, who continues to
23 receive benefits on or after November 1, 2018, shall receive a four-
24 percent increase in said benefits beginning in November 2018.

1 B. Any person receiving benefits pursuant to subsection (3) of
2 Section 17-105 of Title 70 of the Oklahoma Statutes whose benefits
3 commenced prior to November 1, 2017, and who continues to receive
4 benefits on or after November 1, 2018, shall receive a four-percent
5 increase in said benefits beginning in November 2018.

6 SECTION 7. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 930.11 of Title 74, unless there
8 is created a duplication in numbering, reads as follows:

9 Any person receiving benefits from the Oklahoma Public Employees
10 Retirement System as of November 30, 2017, who continues to receive
11 benefits on or after November 1, 2018, shall receive a four-percent
12 increase in said benefits beginning in November 2018.

13 SECTION 8. Section 1 of this act shall become effective
14 October 1, 2018.

15 SECTION 9. Sections 2 through 7 of this act shall become
16 effective November 1, 2018.

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18 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
19 02/28/2018 - DO PASS, As Amended.
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