

HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1246

By: McBride and Hasenbeck of
the House

and

Smalley of the Senate

COMMITTEE SUBSTITUTE

An Act relating to the Teachers' Retirement System of
Oklahoma; amending 70 O.S. 2011, Section 17-103,
which relates to retirement system membership;
modifying eligibility for certain retired members;
and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 17-103, is
amended to read as follows:

Section 17-103. Except as provided in the Alternate Retirement
Plan for Comprehensive Universities Act, the membership of the
retirement system shall consist of the following:

(1) All classified personnel shall become members of the
retirement system as a condition of their employment;

1 (2) All full-time nonclassified optional personnel regularly
2 employed for more than one (1) year may join the Teachers'
3 Retirement System subject to the rules and regulations adopted
4 pursuant to this act. Subject to the outcome of the private letter
5 ruling request (2003) submitted by the Board of Trustees to the
6 Internal Revenue Service (2001), the ~~System~~ retirement system shall
7 permit eligible nonclassified optional personnel who have ceased to
8 make otherwise required employee contributions after having made an
9 election to become a member of the retirement system to resume
10 employee contributions. No service shall be credited to any such
11 member for any period of time during which employee contributions
12 were not made;

13 (3) All persons who shall become classified personnel or who
14 are regularly employed in any school system as new classified
15 personnel after July 1, 1943, hereof, shall become members of the
16 retirement system as a condition of their employment;

17 (4) All other regular school employees may join the Teachers'
18 Retirement System subject to the rules and regulations as may be
19 adopted by the Board of Trustees of the Teachers' Retirement System;

20 (5) The Board of Trustees may, in its discretion, deny the
21 right to become members to any class of members whose compensation
22 is only partly paid by the state, or who is serving on a temporary
23 or other than per annum basis, and it also may, in its discretion,
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1 make optional with members in any such class their individual
2 entrance into the retirement system; ~~and~~

3 (6) Should any member, with less than ten (10) years of
4 teaching service in Oklahoma, in any period of six (6) consecutive
5 years after becoming a member be absent from service more than five
6 (5) years, withdraw his or her contributions, retire or die, he or
7 she shall thereupon cease to be a member. The provisions of this
8 paragraph shall not apply to any member of the Teachers' Retirement
9 System who has been a member of such classes of military services as
10 may be approved by the Board of Trustees, until a period of one and
11 one-half (1 1/2) years from date of termination of such service
12 shall have elapsed; and

13 (7) Effective November 1, 2019, a retired member of the
14 Teachers' Retirement System who becomes employed by the State
15 Department of Education for the first time on or after November 1,
16 2019, shall have the option to remain a member of the Teachers'
17 Retirement System subject to any applicable limitations placed on
18 retired members returning to work or may choose to participate in
19 the Oklahoma Public Employees Retirement System as an active member.

20 SECTION 2. This act shall become effective November 1, 2019.
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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 02/28/2019 - DO PASS, As Amended and Coauthored.
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