

SENATE FLOOR VERSION

April 8, 2019

ENGROSSED HOUSE
BILL NO. 1246By: McBride, Hasenbeck and
Nollan of the House

and

Smalley of the Senate

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;

(2) All full-time nonclassified optional personnel regularly
employed for more than one (1) year may join the Teachers'
Retirement System subject to the rules and regulations adopted

1 pursuant to this act. Subject to the outcome of the private letter
2 ruling request (2003) submitted by the Board of Trustees to the
3 Internal Revenue Service (2001), the ~~System~~ retirement system shall
4 permit eligible nonclassified optional personnel who have ceased to
5 make otherwise required employee contributions after having made an
6 election to become a member of the retirement system to resume
7 employee contributions. No service shall be credited to any such
8 member for any period of time during which employee contributions
9 were not made;

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

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

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

23 (6) Should any member, with less than ten (10) years of
24 teaching service in Oklahoma, in any period of six (6) consecutive

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

9 (7) Effective November 1, 2019, a retired member of the
10 Teachers' Retirement System who becomes employed by the State
11 Department of Education for the first time on or after November 1,
12 2019, shall have the option to remain a member of the Teachers'
13 Retirement System subject to any applicable limitations placed on
14 retired members returning to work or may choose to participate in
15 the Oklahoma Public Employees Retirement System as an active member.

16 SECTION 2. This act shall become effective November 1, 2019.

17 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
18 April 8, 2019 - DO PASS
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