

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4   ENGROSSED SENATE  
5   BILL NO. 1601

By: Rader of the Senate

and

Bush of the House

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8  
9       An Act relating to county employee pension funding;  
10      amending 19 O.S. 2021, Sections 954, 957-1, 960, and  
11      961, which relate to maximum contributions for  
12      certain entities and payment of certain employer  
13      contributions from court funds; authorizing a one-  
14      time lump sum contribution in certain circumstances;  
15      modifying amount county and court fund may pay into  
16      county retirement system; modifying limit of certain  
17      total contribution; deleting obsolete language;  
18      updating statutory reference; clarifying language;  
19      providing an effective date; and declaring an  
20      emergency.

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

22       SECTION 1.       AMENDATORY       19 O.S. 2021, Section 954, is  
23      amended to read as follows:

24       Section 954. It shall be the mandatory duty of the board of  
county commissioners of any county establishing a retirement fund  
and system to appropriate annually, for the sole use of the  
retirement fund within its general fund and subject to the approval  
of the county excise board, a sum which shall be equal to or exceed

1 the contributions made to the retirement fund by the employees.

2 Such appropriation shall not exceed the sum of the current annual  
3 salaries of all employees to be covered in the following  
4 percentages:

5 July 1, 2007 - June 30, 2008 13 1/2%

6 July 1, 2008 - June 30, 2009 14 1/2%

7 July 1, 2009 - June 30, 2010 15 1/2%

8 July 1, 2010 - June 30, 2019 16 1/2%

9 July 1, 2019 - June 30, 2020

10 and each year thereafter 18 1/2%

11 Beginning July 1, 2019, the total employer and employee  
12 contributions shall not exceed eighteen and one-half percent (18.5%)  
13 of the monthly compensation of each member. The governing body of  
14 the participating employers listed in this section may vary the  
15 percentage contribution of the employer and employee, provided the  
16 total percentage contributed by the employer and employee equals the  
17 total percentage contribution required by this section. Payment of  
18 such shall be paid to the fund upon verified claims by the treasurer  
19 of the fund approved by the board of trustees and attested by its  
20 clerk. For any contribution made on or after July 1, 2021, to June  
21 30, 2022, of less than eighteen and one-half percent (18.5%), an  
22 employer may retroactively make a one-time lump sum contribution of  
23 an amount equal to the difference between the actual total  
24

1 contribution that was made and the total contribution amount equal  
2 to eighteen and one-half percent (18.5%).

3 SECTION 2. AMENDATORY 19 O.S. 2021, Section 957-1, is  
4 amended to read as follows:

5 Section 957-1. The county commissioners of any county  
6 establishing a drainage district or districts, and establishing a  
7 county retirement system, in addition to the duties and authority  
8 now provided by law, are hereby authorized to pay into the  
9 retirement system of such county for the use and benefit of the  
10 employees eligible for retirement benefits, such amounts as the said  
11 board of county commissioners may authorize by resolution not  
12 exceeding the current annual salaries of all employees ~~to be covered~~  
13 ~~in the following percentages:~~

14 ~~July 1, 2009 - June 30, 2010 15 1/2%~~

15 ~~July 1, 2010 - June 30, 2011~~

16 ~~and each year thereafter 16 1/2%~~

17 ~~Beginning July 1, 2009, the total employer and employee~~  
18 ~~contributions shall not exceed sixteen and one half percent (16.5%)~~  
19 ~~of the monthly compensation of each member. Provided further, that~~  
20 ~~drainage district employees becoming qualified by this act shall be~~  
21 ~~credited as to eligibility for the full time of their county~~  
22 ~~employment; and, provided further, in the event of retroactive~~  
23 ~~eligibility such employees shall be required to pay into the~~  
24 ~~retirement system fund an amount equal to that which would have~~

1 ~~otherwise been paid by such employees in order to gain credit for~~  
2 ~~such time of employment. whose salaries are paid either in whole or~~  
3 ~~in part out of the drainage district funds. The total employer and~~  
4 ~~employee contributions shall not exceed the percentages of the~~  
5 ~~monthly compensation of each member set forth in Section 954 of this~~  
6 ~~title.~~

7 SECTION 3. AMENDATORY 19 O.S. 2021, Section 960, is  
8 amended to read as follows:

9 Section 960. A. In addition to all other items which are now  
10 or may hereafter be authorized to be paid from the court fund, it  
11 shall be the mandatory duty of the governing board of the court fund  
12 to pay annually for the sole use of the retirement system a sum  
13 equal to the contributions made to the retirement fund by the  
14 employees, but not to exceed the ~~following~~ percentages of the  
15 current annual salaries, established in Section 954 of this title,  
16 of all employees whose salaries are paid either in whole or in part  
17 out of the court funds of such county~~±.~~

18 ~~July 1, 2009 - June 30, 2010 15 1/2%~~

19 ~~July 1, 2010 - June 30, 2011~~

20 ~~and each year thereafter 16 1/2%~~

21 ~~Beginning July 1, 2009, the total employer and employee~~  
22 ~~contributions shall not exceed sixteen and one-half percent (16.5%)~~  
23 ~~of the monthly compensation of each member. The total employer and~~  
24 ~~employee contributions shall not exceed the percentages of the~~

1 monthly compensation of each member set forth in Section 954 of this  
2 title.

3 B. It shall be the mandatory duty of the governing board of the  
4 court fund to pay annually from the court fund to a county  
5 retirement system which is not a participant in the Oklahoma Public  
6 Employees Retirement System, the employer's contribution for that  
7 court reporter who pursuant to the provisions of Section 106.8 of  
8 Title 20 of the Oklahoma Statutes, exercised his or her option to  
9 continue as a member of the county retirement system following  
10 January 13, 1969. The contributions to be so paid shall be limited  
11 to the amount provided for in subsection A of this section. The  
12 provisions of this subsection shall operate retroactively to take  
13 effect on and after January 13, 1969.

14 SECTION 4. AMENDATORY 19 O.S. 2021, Section 961, is  
15 amended to read as follows:

16 Section 961. In addition to all other items which are now or  
17 may hereafter be authorized to be paid from the Law Library Fund, it  
18 shall be the mandatory duty of the trustees of the Law Library Fund  
19 to pay annually for the sole use of the retirement system a sum  
20 equal to the contributions made to the ~~Retirement Fund~~ retirement  
21 fund by the employees, but not to exceed the ~~following~~ percentages  
22 of the current annual salaries, established in Section 954 of this  
23 title, of all employees whose salaries are paid either in whole or  
24 in part out of the Law Library Fund of such county.÷

~~July 1, 2009 — June 30, 2010 — 15 1/2%~~

~~July 1, 2010 — June 30, 2011~~

~~and each year thereafter — 16 1/2%~~

~~Beginning July 1, 2009, the total employer and employee contributions shall not exceed sixteen and one half percent (16.5%) of the monthly compensation of each member. The total employer and employee contributions shall not exceed the percentages of the monthly compensation of each member set forth in Section 954 of this title.~~

SECTION 5. This act shall become effective July 1, 2022.

SECTION 6. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON BANKING, FINANCIAL SERVICES AND PENSIONS, dated 04/04/2022 - DO PASS.