

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3524 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Ronny Johns

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

## STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 3524

By: Johns

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2021,  
Section 17-103, which relates to the Teachers'  
Retirement System of Oklahoma; allowing retired  
members to remain in system upon certain employment;  
providing an effective date; and declaring an  
emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, 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:

A. All classified personnel shall become members of the  
retirement system as a condition of their employment;

B. For the period from August 2, 1969, to the effective date of  
this act, all full-time nonclassified optional personnel regularly  
employed for more than one (1) year may join the Teachers'

1 Retirement System of Oklahoma subject to the rules and regulations  
2 adopted pursuant to the Teachers' Retirement System. On or after  
3 the effective date of this act, all nonclassified optional personnel  
4 regularly employed for twenty (20) hours or more per week may join  
5 the System upon hiring, subject to the provisions of subsection C of  
6 this section and the rules and regulations adopted by the System  
7 pursuant to this act.

8 C. 1. A nonclassified optional employee shall have thirty (30)  
9 days from the initial date of hire to make a one-time irrevocable  
10 written election to opt out of participation in the System. If an  
11 eligible employee fails to make an election within the thirty-day  
12 period, the eligible employee shall be deemed to participate in the  
13 System.

14 2. If an eligible employee elects to opt out of participation  
15 in the System, the employee shall not make any required employee  
16 contributions to the System and his or her employer shall not make  
17 any required employer contributions to the System.

18 3. If an eligible nonclassified optional employee elects to  
19 participate in the System, the employee shall make employee  
20 contributions to the System pursuant to Section 17-116.2 of this  
21 title and the employer shall make employer contributions to the  
22 System pursuant to Section 17-108.1 of this title. Nothing in this  
23 paragraph shall be construed to prohibit the employer from making  
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1 the contribution of the employee to the System on behalf of the  
2 employee.

3 4. A nonclassified optional employee who opts out of  
4 participation in the System shall be ineligible for future  
5 participation in the System; provided, however, that if the employee  
6 is hired for a classified position, he or she shall become a member  
7 of the System pursuant to subsection A of this section but shall not  
8 be eligible for prior service credit for service performed while  
9 employed in a nonclassified position during which the employee opted  
10 out of participation in the System.

11 5. Any nonclassified optional employee employed on the  
12 effective date of this act shall make an irrevocable written  
13 election to participate in or opt out of the System pursuant to  
14 paragraph 1 of this subsection. If the employee fails to make an  
15 election within thirty (30) days from the effective date of this  
16 act, the employee shall be deemed to participate in the System,  
17 subject to the provisions of paragraph 3 of this subsection.

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

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

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

18 SECTION 2. This act shall become effective July 1, 2024.

19 SECTION 3. It being immediately necessary for the preservation  
20 of the public peace, health or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.  
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