

SENATE FLOOR VERSION

April 2, 2024

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2687

By: George of the House

and

Pemberton of the Senate

An Act relating to public retirement systems;
amending 47 O.S. 2021, Section 2-300, as amended by
Section 8, Chapter 151, O.S.L. 2023 (47 O.S. Supp.
2023, Section 2-300), which relates to the Oklahoma
Law Enforcement Retirement System; defining term;
modifying definition; amending 62 O.S. 2021, Section
3103, as last amended by Section 1, Chapter 306,
O.S.L. 2022 (62 O.S. Supp. 2023, Section 3103), which
relates to the Oklahoma Pension Legislation Actuarial
Analysis Act; modifying definition; providing for
participation of certain new employees of certain
agencies in the Oklahoma Law Enforcement Retirement
System; providing for codification; providing
effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 2-300, as
amended by Section 8, Chapter 151, O.S.L. 2023 (47 O.S. Supp. 2023,
Section 2-300), is amended to read as follows:

Section 2-300. As used in Section 2-300 et seq. of this title:

1. "System" means the Oklahoma Law Enforcement Retirement
System;

2. "Act" means Section 2-300 et seq. of this title;

3. "Board" means the Oklahoma Law Enforcement Retirement Board of the System;

4. "Executive Director" means the managing officer of the System employed by the Board;

5. "Fund" means the Oklahoma Law Enforcement Retirement Fund;

6. "Participating employer" means any Oklahoma entity with one or more employees who are members of the System;

7. a. "Member" means:

(1) all commissioned law enforcement officers of the Oklahoma Highway Patrol Division of the Department of Public Safety who have obtained certification from the Council on Law Enforcement Education and Training, and all cadets of a Patrol Academy of the Department of Public Safety,

(2) law enforcement officers and criminalists of the Oklahoma State Bureau of Investigation,

(3) law enforcement officers of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control designated to perform duties in the investigation and prevention of crime and the enforcement of the criminal laws of this state,

- 1 (4) law enforcement officers of the Alcoholic
2 Beverage Laws Enforcement Commission designated
3 to perform duties in the investigation and
4 prevention of crime and the enforcement of the
5 criminal laws of this state,
- 6 (5) employees of the Communications Section of the
7 Oklahoma Highway Patrol Division, radio
8 technicians and tower technicians of the
9 Department of Public Safety, who are employed in
10 any such capacity as of June 30, 2008, and who
11 remain employed on or after July 1, 2008, until a
12 termination of service, or until a termination of
13 service with an election of a vested benefit from
14 the System, or until retirement. Effective July
15 1, 2008, a person employed for the first time as
16 an employee of the Department of Public Safety in
17 the Communications Division as an information
18 systems telecommunication technician of the
19 Department of Public Safety shall not be a member
20 of the System,
- 21 (6) park rangers of the Oklahoma Tourism and
22 Recreation Department and any park manager or
23 park supervisor of the Oklahoma Tourism and
24 Recreation Department, who was employed in such a

position prior to July 1, 1985, and who elects on or before September 1, 1996, to participate in the System, ~~and~~

(7) inspectors of the State Board of Pharmacy, and

(8) active commissioned or CLEET-certified agents

hired by the Office of the Attorney General or

the Military Department of the State of Oklahoma

on or after the effective date of this act.

b. Effective July 1, 1987, a member does not include a

"leased employee" as defined under Section 414(n) (2)

of the Internal Revenue Code of 1986, as amended.

Effective July 1, 1999, any individual who agrees with

the participating employer that the individual's

services are to be performed as a leased employee or

an independent contractor shall not be a member

regardless of any classification as a common-law

employee by the Internal Revenue Service or any other

governmental agency, or any court of competent

jurisdiction.

c. All persons ~~who shall be~~ offered a position ~~of a~~

~~commissioned law enforcement officer as an employee of~~

~~one of the agencies~~ described in subparagraph a of

this paragraph shall participate in the System only

upon ~~the person~~ meeting the requisite post-offer-pre-

1 employment ~~physical~~ examination standards which shall
2 be subject to the following requirements:

3 (1) all such persons shall be of good moral
4 character, free from deformities, mental or
5 physical conditions, or disease and alcohol or
6 drug addiction which would prohibit the person
7 from performing the duties of a law enforcement
8 officer,

9 (2) the physical-medical examination shall pertain to
10 age, sight, hearing, agility and other conditions
11 the requirements of which shall be established by
12 the Board,

13 (3) the person shall be required to meet the
14 conditions of this subsection prior to the
15 beginning of actual employment but after an offer
16 of employment has been tendered by a
17 participating employer,

18 (4) the Board shall have authority to deny or revoke
19 membership of any person submitting false
20 information in such person's membership
21 application, and

22 (5) the Board shall have final authority in
23 determining eligibility for membership in the
24

1 System, pursuant to the provisions of this
2 subsection;

3 ~~7.~~ 8. "Normal retirement date" means the date at which the
4 member is eligible to receive the unreduced payments of the member's
5 accrued retirement benefit. Such date shall be the first day of the
6 month coinciding with or following the date the member:

7 a. completes twenty (20) years of vesting service, or

8 b. attains sixty-two (62) years of age with ten (10)
9 years of vesting service, or

10 c. attains sixty-two (62) years of age, if:

11 (1) the member has been transferred to this System
12 from the Oklahoma Public Employees Retirement
13 System on or after July 1, 1981, and

14 (2) the member would have been vested had the member
15 continued to be a member of the Oklahoma Public
16 Employees Retirement System.

17 With respect to distributions under the System made for calendar
18 years beginning on or after January 1, 2005, the System shall apply
19 the minimum distribution incidental benefit requirements, incidental
20 benefit requirements, and minimum distribution requirements of
21 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
22 in accordance with the final regulations under Section 401(a)(9) of
23 the Internal Revenue Code of 1986, as amended, including Treasury
24 Regulations Sections 1.401(a)(9)-1 through 1.401(a)(9)-9; provided,

1 that for individuals who attain seventy and one-half (70 1/2) years
2 of age after December 31, 2019, but before January 1, 2023, such
3 distributions shall take into account that "age 70 1/2" was stricken
4 and "age 72" was inserted in Sections 401(a)(9)(B)(iv)(I),
5 401(a)(9)(C)(i)(I) and 401(a)(9)(C)(ii)(I) of the Internal Revenue
6 Code of 1986, as amended, and, provided further, that for
7 individuals who attain seventy-two (72) years of age after December
8 31, 2022, such distributions shall take into account that "age 72"
9 was stricken and "the applicable age", as defined in Section
10 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended,
11 was inserted in Section 401(a)(9)(B)(iv)(I), Section
12 401(a)(9)(C)(i)(I) and Section 401(a)(9)(C)(ii)(I) of the Internal
13 Revenue Code of 1986, as amended, in all cases notwithstanding any
14 provision of the System to the contrary. With respect to
15 distributions under the System made for calendar years beginning on
16 or after January 1, 2001, through December 31, 2004, the System
17 shall apply the minimum distribution requirements and incidental
18 benefit requirements of Section 401(a)(9) of the Internal Revenue
19 Code of 1986, as amended, in accordance with the regulations under
20 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
21 which were proposed in January 2001, notwithstanding any provision
22 of the System to the contrary.

23 Effective July 1, 1989, notwithstanding any other provision
24 contained herein to the contrary, in no event shall commencement of

1 distribution of the accrued retirement benefit of a member be
2 delayed beyond April 1 of the calendar year following the later of:
3 (1) the calendar year in which the member reaches seventy and one-
4 half (70 1/2) years of age for a member who attains this age before
5 January 1, 2020, or, for a member who attains this age on or after
6 January 1, 2020, but before January 1, 2023, the calendar year in
7 which the member reaches seventy-two (72) years of age, or effective
8 for distributions required to be made after December 31, 2022, the
9 calendar year in which the member reaches seventy-three (73) years
10 of age for an individual who attains age seventy-two (72) after
11 December 31, 2022, or "the applicable age", as defined in Section
12 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended, if
13 later; or (2) the actual retirement date of the member. A member
14 electing to defer the commencement of retirement benefits pursuant
15 to Section 2-308.1 of this title may not defer the benefit
16 commencement beyond the age of sixty-five (65).

17 Effective September 8, 2009, notwithstanding anything to the
18 contrary of the System, the System, which as a governmental plan
19 (within the meaning of Section 414(d) of the Internal Revenue Code
20 of 1986, as amended), is treated as having complied with Section
21 401(a)(9) of the Internal Revenue Code of 1986, as amended, for all
22 years to which Section 401(a)(9) of the Internal Revenue Code of
23 1986, as amended, applies to the System if the System complies with
24

1 a reasonable and good faith interpretation of Section 401(a)(9) of
2 the Internal Revenue Code of 1986, as amended.

3 A member who was required to join the System effective July 1,
4 1980, because of the transfer of the employing agency from the
5 Oklahoma Public Employees Retirement System to the System, and was
6 not a member of the Oklahoma Public Employees Retirement System on
7 the date of such transfer shall be allowed to receive credit for
8 prior law enforcement service rendered to this state, if the member
9 is not receiving or eligible to receive retirement credit or
10 benefits for such service in any other public retirement system,
11 upon payment to the System of the employee contribution the member
12 would have been subject to had the member been a member of the
13 System at the time, plus five percent (5%) interest. Service credit
14 received pursuant to this paragraph shall be used in determining the
15 member's retirement benefit, and shall be used in determining years
16 of service for retirement or vesting purposes;

17 ~~8.~~ 9. "Actual paid base salary" means the salary received by a
18 member, excluding payment for any accumulated leave or uniform
19 allowance. Salary shall include any amount of nonelective salary
20 reduction under Section 414(h) of the Internal Revenue Code of 1986;

21 ~~9.~~ 10. "Final average salary" means the average of the highest
22 thirty (30) consecutive complete months of actual paid gross salary.
23 Gross salary shall include any amount of elective salary reduction
24 under Section 457 of the Internal Revenue Code of 1986, as amended,

1 and any amount of nonelective salary reduction under Section 414(h)
2 of the Internal Revenue Code of 1986, as amended. Effective July 1,
3 1992, gross salary shall include any amount of elective salary
4 reduction under Section 125 of the Internal Revenue Code of 1986, as
5 amended. Effective July 1, 1998, gross salary shall include any
6 amount of elective salary reduction not includable in the gross
7 income of the member under Section 132(f)(4) of the Internal Revenue
8 Code of 1986, as amended. Effective July 1, 1998, for purposes of
9 determining a member's compensation, any contribution by the member
10 to reduce his or her regular cash remuneration under Section
11 132(f)(4) of the Internal Revenue Code of 1986, as amended, shall be
12 treated as if the member did not make such an election. Only salary
13 on which required contributions have been made may be used in
14 computing the final average salary. Gross salary shall not include
15 severance pay.

16 In addition to other applicable limitations, and notwithstanding
17 any other provision to the contrary, for plan years beginning on or
18 after July 1, 2002, the annual gross salary of each "Noneligible
19 Member" taken into account under the System shall not exceed the
20 Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA")
21 annual salary limit. The EGTRRA annual salary limit is Two Hundred
22 Thousand Dollars (\$200,000.00), as adjusted by the Commissioner for
23 increases in the cost of living in accordance with Section
24 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The

1 annual salary limit in effect for a calendar year applies to any
2 period, not exceeding twelve (12) months, over which salary is
3 determined ("determination period") beginning in such calendar year.
4 If a determination period consists of fewer than twelve (12) months,
5 the EGTRRA salary limit will be multiplied by a fraction, the
6 numerator of which is the number of months in the determination
7 period, and the denominator of which is twelve (12). For purposes
8 of this section, a "Noneligible Member" is any member who first
9 became a member during a plan year commencing on or after July 1,
10 1996.

11 For plan years beginning on or after July 1, 2002, any reference
12 in the System to the annual salary limit under Section 401(a)(17) of
13 the Internal Revenue Code of 1986, as amended, shall mean the EGTRRA
14 salary limit set forth in this provision.

15 Effective January 1, 2008, gross salary for a plan year shall
16 also include gross salary, as described above, for services, but
17 paid by the later of two and one-half (2 1/2) months after a
18 member's severance from employment or the end of the calendar year
19 that includes the date the member terminated employment, if it is a
20 payment that, absent a severance from employment, would have been
21 paid to the member while the member continued in employment with the
22 employer.

23 Effective January 1, 2008, any payments not described above
24 shall not be considered gross salary if paid after severance from

1 employment, even if they are paid by the later of two and one-half
2 (2 1/2) months after the date of severance from employment or the
3 end of the calendar year that includes the date of severance from
4 employment, except payments to an individual who does not currently
5 perform services for the employer by reason of qualified military
6 service within the meaning of Section 414(u)(5) of the Internal
7 Revenue Code of 1986, as amended, to the extent these payments do
8 not exceed the amounts the individual would have received if the
9 individual had continued to perform services for the employer rather
10 than entering qualified military service.

11 Effective January 1, 2008, back pay, within the meaning of
12 Section 1.415(c)-2(g)(8) of the Income Tax Regulations, shall be
13 treated as gross salary for the limitation year to which the back
14 pay relates to the extent the back pay represents wages and
15 compensation that would otherwise be included in this definition.

16 Effective for years beginning after December 31, 2008, gross
17 salary shall also include differential wage payments under Section
18 414(u)(12) of the Internal Revenue Code of 1986, as amended;

19 ~~10.~~ 11. "Credited service" means the period of service used to
20 determine the amount of benefits payable to a member. Credited
21 service shall consist of the period during which the member
22 participated in the System or the predecessor Plan as an active
23 employee in an eligible membership classification, plus any service
24 prior to the establishment of the predecessor Plan which was

1 credited under the predecessor Plan and for law enforcement officers
2 and criminalists of the Oklahoma State Bureau of Investigation and
3 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
4 who became members of the System on July 1, 1980, any service
5 credited under the Oklahoma Public Employees Retirement System as of
6 June 30, 1980, and for members of the Communications and Lake Patrol
7 Divisions of the Oklahoma Department of Public Safety, who became
8 members of the System on July 1, 1981, any service credited under
9 the predecessor Plan or the Oklahoma Public Employees Retirement
10 System as of June 30, 1981, and for law enforcement officers of the
11 Alcoholic Beverage Laws Enforcement Commission who became members of
12 the System on July 1, 1982, any service credited under the Oklahoma
13 Public Employees Retirement System as of June 30, 1982, and for park
14 rangers of the Oklahoma Tourism and Recreation Department who became
15 members of the System on July 1, 1985, any service credited under
16 the Oklahoma Public Employees Retirement System as of June 30, 1985,
17 and for inspectors of the State Board of Pharmacy who became members
18 of the System on July 1, 1986, any service credited under the
19 Oklahoma Public Employees Retirement System as of June 30, 1986, for
20 law enforcement officers of the Oklahoma Capitol Patrol Division of
21 the Department of Public Safety who became members of the System
22 effective July 1, 1993, any service credited under the Oklahoma
23 Public Employees Retirement System as of June 30, 1993, and for all
24 commissioned officers in the Gunsmith/Ammunition Reloader Division

1 of the Department of Public Safety who became members of the System
2 effective July 1, 1994, any service credited under the Oklahoma
3 Public Employees Retirement System as of June 30, 1994, and for the
4 park managers or park supervisors of the Oklahoma Tourism and
5 Recreation Department who were employed in such a position prior to
6 July 1, 1985, and who elect to become members of the System
7 effective September 1, 1996, any service transferred pursuant to
8 subsection C of Section 2-309.6 of this title and any service
9 purchased pursuant to subsection B of Section 2-307.2 of this title.
10 Effective August 5, 1993, an authorized leave of absence shall
11 include a period of absence pursuant to the Family and Medical Leave
12 Act of 1993;

13 ~~11.~~ 12. "Disability" means a physical or mental condition
14 which, in the judgment of the Board, totally and presumably
15 permanently prevents the member from engaging in the usual and
16 customary duties of the occupation of the member and thereafter
17 prevents the member from performing the duties of any occupation or
18 service for which the member is qualified by reason of training,
19 education or experience. A person is not under a disability when
20 capable of performing a service to the employer, regardless of
21 occupation, providing the salary of the employee is not diminished
22 thereby;

1 ~~12.~~ 13. "Limitation year" means the year used in applying the
2 limitations of Section 415 of the Internal Revenue Code of 1986,
3 which year shall be the calendar year;

4 ~~13.~~ 14. "Line of duty" means any action which a member whose
5 primary function is crime control or reduction or enforcement of the
6 criminal law is obligated or authorized by rule, regulations,
7 condition of employment or service, or law to perform including
8 those social, ceremonial or athletic functions to which the member
9 is assigned, or for which the member is compensated, by the agency
10 the member serves;

11 ~~14.~~ 15. "Personal injury" or "injury" means any traumatic
12 injury as well as diseases which are caused by or result from such
13 an injury, but not occupational diseases;

14 ~~15.~~ 16. "Catastrophic nature" means consequences of an injury
15 that permanently prevent an individual from performing any gainful
16 work;

17 ~~16.~~ 17. "Traumatic injury" means a wound or a condition of the
18 body caused by external force including injuries inflicted by
19 bullets, explosives, sharp instruments, blunt objects or other
20 physical blows, chemicals, electricity, climatic conditions,
21 infectious diseases, radiation and bacteria, but excluding stress
22 and strain; and

23 ~~17.~~ 18. "Beneficiary" means the individual designated by the
24 member on a beneficiary designation form supplied by the Oklahoma

1 Law Enforcement Retirement System, or, if there is no designated
2 beneficiary or if the designated beneficiary predeceases the member,
3 the estate of the member. If the member's spouse is not designated
4 as the sole primary beneficiary, the member's spouse must sign a
5 consent.

6 SECTION 2. AMENDATORY 62 O.S. 2021, Section 3103, as
7 last amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.
8 2023, Section 3103), is amended to read as follows:

9 Section 3103. As used in the Oklahoma Pension Legislation
10 Actuarial Analysis Act:

11 1. "Amendment" means any amendment, including a substitute
12 bill, made to a retirement bill by any committee of the House of
13 Representatives or Senate, any conference committee of the House or
14 Senate or by the House or Senate;

15 2. "RB number" means that number preceded by the letters "RB"
16 assigned to a retirement bill by the respective staffs of the
17 ~~Oklahoma State~~ Senate and the ~~Oklahoma~~ House of Representatives when
18 the respective staff office prepares a retirement bill for a member
19 of the Legislature;

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

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

5 5. "Nonfiscal retirement bill" means a retirement bill:

6 a. which does not affect the cost or funding factors of a
7 retirement system,

8 b. which affects such factors only in a manner which does
9 not:

10 (1) grant a benefit increase under the retirement
11 system affected by the bill,

12 (2) create an actuarial accrued liability for or
13 increase the actuarial accrued liability of the
14 retirement system affected by the bill, or

15 (3) increase the normal cost of the retirement system
16 affected by the bill,

17 c. which authorizes the purchase by an active member of
18 the retirement system, at the actuarial cost for the
19 purchase as computed pursuant to the statute in effect
20 on the effective date of the measure allowing such
21 purchase, of years of service for purposes of reaching
22 a normal retirement date in the applicable retirement
23 system, but which cannot be used in order to compute
24

- 1 the number of years of service for purposes of
2 computing the retirement benefit for the member,
3 d. which provides for the computation of a service-
4 connected disability retirement benefit for members of
5 the Oklahoma Law Enforcement Retirement System
6 pursuant to Section 2-305 of Title 47 of the Oklahoma
7 Statutes if the members were unable to complete twenty
8 (20) years of service as a result of the disability,
9 e. which requires membership in the defined benefit plan
10 authorized by Section 901 et seq. of Title 74 of the
11 Oklahoma Statutes for persons whose first elected or
12 appointed service occurs on or after November 1, 2018,
13 if such persons had any prior service in the Oklahoma
14 Public Employees Retirement System prior to November
15 1, 2015,
16 f. which provides for a one-time increase in retirement
17 benefits if the increase in retirement benefits is not
18 a permanent increase in the gross annual retirement
19 benefit payable to a member or beneficiary, occurs
20 only once pursuant to a single statutory authorization
21 and does not exceed:
22 (1) the lesser of two percent (2%) of the gross
23 annual retirement benefit of the member or One
24 Thousand Dollars (\$1,000.00) and requires that

1 the benefit may only be provided if the funded
2 ratio of the affected retirement system would not
3 be less than sixty percent (60%) but not greater
4 than eighty percent (80%) after the benefit
5 increase is paid,

6 (2) the lesser of two percent (2%) of the gross
7 annual retirement benefit of the member or One
8 Thousand Two Hundred Dollars (\$1,200.00) and
9 requires that the benefit may only be provided if
10 the funded ratio of the affected retirement
11 system would be greater than eighty percent (80%)
12 but not greater than one hundred percent (100%)
13 after the benefit increase is paid,

14 (3) the lesser of two percent (2%) of the gross
15 annual retirement benefit of the member or One
16 Thousand Four Hundred Dollars (\$1,400.00) and
17 requires that the benefit may only be provided if
18 the funded ratio of the affected retirement
19 system would be greater than one hundred percent
20 (100%) after the benefit increase is paid, or

21 (4) the greater of two percent (2%) of the gross
22 annual retirement benefit of the volunteer
23 firefighter or One Hundred Dollars (\$100.00) for
24 persons who retired from the Oklahoma

1 Firefighters Pension and Retirement System as
2 volunteer firefighters and who did not retire
3 from the Oklahoma Firefighters Pension and
4 Retirement System as a paid firefighter.

5 As used in this subparagraph, "funded ratio" means the
6 figure derived by dividing the actuarial value of
7 assets of the applicable retirement system by the
8 actuarial accrued liability of the applicable
9 retirement system,

10 g. which modifies the disability pension standard for
11 police officers who are members of the Oklahoma Police
12 Pension and Retirement System as provided by ~~Section 3~~
13 ~~of this act~~ Section 50-115 of Title 11 of the Oklahoma
14 Statutes,

15 h. which provides a cost-of-living benefit increase
16 pursuant to the provisions of:

17 (1) Section 49-143.7 of Title 11 of the Oklahoma
18 Statutes,

19 (2) Section 50-136.9 of Title 11 of the Oklahoma
20 Statutes,

21 (3) Section 1104K of Title 20 of the Oklahoma
22 Statutes,

23 (4) Section 2-305.12 of Title 47 of the Oklahoma
24 Statutes,

(5) Section 17-116.22 of Title 70 of the Oklahoma Statutes,

(6) Section 930.11 of Title 74 of the Oklahoma Statutes, ~~or~~

i. which modifies the computation of the line-of-duty disability benefit pursuant to the provisions of ~~this act~~ this section and Sections 50-101 and 50-115 of Title 11 of the Oklahoma Statutes, or

j. which authorizes membership in the Oklahoma Law Enforcement Retirement System for active commissioned or CLEET-certified agents of the Office of the Attorney General or the Military Department of the State of Oklahoma pursuant to Sections 3 and 4 of this act.

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

6. "Reduction-in-cost amendment" means an amendment to a retirement bill having a fiscal impact which reduces the cost of the

1 bill as such cost is determined by the actuarial investigation for
2 the bill prepared pursuant to Section 3109 of this title;

3 7. "Retirement bill" means any bill or joint resolution
4 introduced or any bill or joint resolution amended by a member of
5 the ~~Oklahoma~~ Legislature which creates or amends any law directly
6 affecting a retirement system. A retirement bill shall not mean a
7 bill or resolution that impacts the revenue of any state tax in
8 which a portion of the revenue generated from such tax is earmarked
9 for the benefit of a retirement system;

10 8. "Retirement bill having a fiscal impact" means any
11 retirement bill creating or establishing a retirement system and any
12 other retirement bill other than a nonfiscal retirement bill; and

13 9. "Retirement system" means the Teachers' Retirement System of
14 Oklahoma, the Oklahoma Public Employees Retirement System, the
15 Uniform Retirement System for Justices and Judges, the Oklahoma
16 Firefighters Pension and Retirement System, the Oklahoma Police
17 Pension and Retirement System, the Oklahoma Law Enforcement
18 Retirement System, or a retirement system established after January
19 1, 2006.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2-309.9 of Title 47, unless
22 there is created a duplication in numbering, reads as follows:

23 Commissioned or CLEET-certified agents of the Office of the
24 Attorney General who are hired on or after July 1, 2024, shall

1 participate in and make contributions to the Oklahoma Law
2 Enforcement Retirement System as other participating employers and
3 members of the System. Such employees shall not make contributions
4 to any plan offered by the Oklahoma Public Employees Retirement
5 System. The Office of the Attorney General shall be a participating
6 employer in the Oklahoma Law Enforcement Retirement System for all
7 Office of the Attorney General commissioned or CLEET-certified
8 agents who participate in the Oklahoma Law Enforcement Retirement
9 System pursuant to the provisions of this section.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 2-309.10 of Title 47, unless
12 there is created a duplication in numbering, reads as follows:

13 Commissioned or CLEET-certified agents of the Military
14 Department of the State of Oklahoma who are hired on or after July
15 1, 2024, shall participate in and make contributions to the Oklahoma
16 Law Enforcement Retirement System as other participating employers
17 and members of the System. Such employees shall not make
18 contributions to any plan offered by the Oklahoma Public Employees
19 Retirement System. The Department shall be a participating employer
20 in the Oklahoma Law Enforcement Retirement System for all Office of
21 the Attorney General commissioned or CLEET-certified agents who
22 participate in the Oklahoma Law Enforcement Retirement System
23 pursuant to the provisions of this section.

1 SECTION 5. If the emergency clause is not approved pursuant to
2 the requirements of the Oklahoma Constitution as part of this
3 measure, the effective date of Section 2 of this act shall be
4 October 1, 2024.

5 SECTION 6. If the emergency clause is not approved pursuant to
6 the requirements of the Oklahoma Constitution as part of this
7 measure, the effective date of Sections 1, 3, and 4 of this act
8 shall be November 1, 2024.

9 SECTION 7. Except as otherwise provided by Section 5 of this
10 act, Section 2 of this act shall become effective immediately upon
11 signature by the Governor or as otherwise provided by Section 58 of
12 Article V of the Oklahoma Constitution.

13 SECTION 8. Except as otherwise provided by Section 6 of this
14 act, Sections 1, 3, and 4 of this act shall become effective July 1,
15 2024.

16 SECTION 9. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

20 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
21 April 2, 2024 - DO PASS AS AMENDED BY CS
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23
24