

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL 2687

By: George of the House

and

Pemberton of the Senate

COMMITTEE SUBSTITUTE

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

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

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

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

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

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

11 7. a. "Member" means:

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

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

21 (3) law enforcement officers of the Oklahoma State
22 Bureau of Narcotics and Dangerous Drugs Control
23 designated to perform duties in the investigation
24

1 and prevention of crime and the enforcement of
2 the criminal laws of this state,

3 (4) law enforcement officers of the Alcoholic
4 Beverage Laws Enforcement Commission designated
5 to perform duties in the investigation and
6 prevention of crime and the enforcement of the
7 criminal laws of this state,

8 (5) employees of the Communications Section of the
9 Oklahoma Highway Patrol Division, radio
10 technicians and tower technicians of the
11 Department of Public Safety, who are employed in
12 any such capacity as of June 30, 2008, and who
13 remain employed on or after July 1, 2008, until a
14 termination of service, or until a termination of
15 service with an election of a vested benefit from
16 the System, or until retirement. Effective July
17 1, 2008, a person employed for the first time as
18 an employee of the Department of Public Safety in
19 the Communications Division as an information
20 systems telecommunication technician of the
21 Department of Public Safety shall not be a member
22 of the System,

23 (6) park rangers of the Oklahoma Tourism and
24 Recreation Department and any park manager or

1 park supervisor of the Oklahoma Tourism and
2 Recreation Department, who was employed in such a
3 position prior to July 1, 1985, and who elects on
4 or before September 1, 1996, to participate in
5 the System, ~~and~~

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

7 (8) active commissioned or CLEET-certified agents

8 hired by the Office of the Attorney General or

9 the Military Department of the State of Oklahoma

10 on or after the effective date of this act.

11 b. Effective July 1, 1987, a member does not include a
12 "leased employee" as defined under Section 414(n) (2)
13 of the Internal Revenue Code of 1986, as amended.
14 Effective July 1, 1999, any individual who agrees with
15 the participating employer that the individual's
16 services are to be performed as a leased employee or
17 an independent contractor shall not be a member
18 regardless of any classification as a common-law
19 employee by the Internal Revenue Service or any other
20 governmental agency, or any court of competent
21 jurisdiction.

22 c. All persons ~~who shall be~~ offered a position ~~of a~~
23 ~~commissioned law enforcement officer as an employee of~~
24 ~~one of the agencies~~ described in subparagraph a of

1 this paragraph shall participate in the System only
2 upon ~~the person~~ meeting the requisite post-offer-pre-
3 employment ~~physical~~ examination standards which shall
4 be subject to the following requirements:

- 5 (1) all such persons shall be of good moral
6 character, free from deformities, mental or
7 physical conditions, or disease and alcohol or
8 drug addiction which would prohibit the person
9 from performing the duties of a law enforcement
10 officer,
- 11 (2) the physical-medical examination shall pertain to
12 age, sight, hearing, agility and other conditions
13 the requirements of which shall be established by
14 the Board,
- 15 (3) the person shall be required to meet the
16 conditions of this subsection prior to the
17 beginning of actual employment but after an offer
18 of employment has been tendered by a
19 participating employer,
- 20 (4) the Board shall have authority to deny or revoke
21 membership of any person submitting false
22 information in such person's membership
23 application, and
24

1 (5) the Board shall have final authority in
2 determining eligibility for membership in the
3 System, pursuant to the provisions of this
4 subsection;

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

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

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

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

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

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

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

1 the Internal Revenue Code of 1986, as amended, including Treasury
2 Regulations Sections 1.401(a)(9)-1 through 1.401(a)(9)-9; provided,
3 that for individuals who attain seventy and one-half (70 1/2) years
4 of age after December 31, 2019, but before January 1, 2023, such
5 distributions shall take into account that "age 70 1/2" was stricken
6 and "age 72" was inserted in Sections 401(a)(9)(B)(iv)(I),
7 401(a)(9)(C)(i)(I) and 401(a)(9)(C)(ii)(I) of the Internal Revenue
8 Code of 1986, as amended, and, provided further, that for
9 individuals who attain seventy-two (72) years of age after December
10 31, 2022, such distributions shall take into account that "age 72"
11 was stricken and "the applicable age", as defined in Section
12 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended,
13 was inserted in Section 401(a)(9)(B)(iv)(I), Section
14 401(a)(9)(C)(i)(I) and Section 401(a)(9)(C)(ii)(I) of the Internal
15 Revenue Code of 1986, as amended, in all cases notwithstanding any
16 provision of the System to the contrary. With respect to
17 distributions under the System made for calendar years beginning on
18 or after January 1, 2001, through December 31, 2004, the System
19 shall apply the minimum distribution requirements and incidental
20 benefit requirements of Section 401(a)(9) of the Internal Revenue
21 Code of 1986, as amended, in accordance with the regulations under
22 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
23 which were proposed in January 2001, notwithstanding any provision
24 of the System to the contrary.

1 Effective July 1, 1989, notwithstanding any other provision
2 contained herein to the contrary, in no event shall commencement of
3 distribution of the accrued retirement benefit of a member be
4 delayed beyond April 1 of the calendar year following the later of:
5 (1) the calendar year in which the member reaches seventy and one-
6 half (70 1/2) years of age for a member who attains this age before
7 January 1, 2020, or, for a member who attains this age on or after
8 January 1, 2020, but before January 1, 2023, the calendar year in
9 which the member reaches seventy-two (72) years of age, or effective
10 for distributions required to be made after December 31, 2022, the
11 calendar year in which the member reaches seventy-three (73) years
12 of age for an individual who attains age seventy-two (72) after
13 December 31, 2022, or "the applicable age", as defined in Section
14 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended, if
15 later; or (2) the actual retirement date of the member. A member
16 electing to defer the commencement of retirement benefits pursuant
17 to Section 2-308.1 of this title may not defer the benefit
18 commencement beyond the age of sixty-five (65).

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

1 1986, as amended, applies to the System if the System complies with
2 a reasonable and good faith interpretation of Section 401(a)(9) of
3 the Internal Revenue Code of 1986, as amended.

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

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

22 ~~9.~~ 10. "Final average salary" means the average of the highest
23 thirty (30) consecutive complete months of actual paid gross salary.
24 Gross salary shall include any amount of elective salary reduction

1 under Section 457 of the Internal Revenue Code of 1986, as amended,
2 and any amount of nonelective salary reduction under Section 414(h)
3 of the Internal Revenue Code of 1986, as amended. Effective July 1,
4 1992, gross salary shall include any amount of elective salary
5 reduction under Section 125 of the Internal Revenue Code of 1986, as
6 amended. Effective July 1, 1998, gross salary shall include any
7 amount of elective salary reduction not includable in the gross
8 income of the member under Section 132(f)(4) of the Internal Revenue
9 Code of 1986, as amended. Effective July 1, 1998, for purposes of
10 determining a member's compensation, any contribution by the member
11 to reduce his or her regular cash remuneration under Section
12 132(f)(4) of the Internal Revenue Code of 1986, as amended, shall be
13 treated as if the member did not make such an election. Only salary
14 on which required contributions have been made may be used in
15 computing the final average salary. Gross salary shall not include
16 severance pay.

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

1 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The
2 annual salary limit in effect for a calendar year applies to any
3 period, not exceeding twelve (12) months, over which salary is
4 determined ("determination period") beginning in such calendar year.
5 If a determination period consists of fewer than twelve (12) months,
6 the EGTRRA salary limit will be multiplied by a fraction, the
7 numerator of which is the number of months in the determination
8 period, and the denominator of which is twelve (12). For purposes
9 of this section, a "Noneligible Member" is any member who first
10 became a member during a plan year commencing on or after July 1,
11 1996.

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

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

1 Effective January 1, 2008, any payments not described above
2 shall not be considered gross salary if paid after severance from
3 employment, even if they are paid by the later of two and one-half
4 (2 1/2) months after the date of severance from employment or the
5 end of the calendar year that includes the date of severance from
6 employment, except payments to an individual who does not currently
7 perform services for the employer by reason of qualified military
8 service within the meaning of Section 414(u) (5) of the Internal
9 Revenue Code of 1986, as amended, to the extent these payments do
10 not exceed the amounts the individual would have received if the
11 individual had continued to perform services for the employer rather
12 than entering qualified military service.

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

18 Effective for years beginning after December 31, 2008, gross
19 salary shall also include differential wage payments under Section
20 414(u) (12) of the Internal Revenue Code of 1986, as amended;

21 ~~10.~~ 11. "Credited service" means the period of service used to
22 determine the amount of benefits payable to a member. Credited
23 service shall consist of the period during which the member
24 participated in the System or the predecessor Plan as an active

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

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

15 ~~11.~~ 12. "Disability" means a physical or mental condition
16 which, in the judgment of the Board, totally and presumably
17 permanently prevents the member from engaging in the usual and
18 customary duties of the occupation of the member and thereafter
19 prevents the member from performing the duties of any occupation or
20 service for which the member is qualified by reason of training,
21 education or experience. A person is not under a disability when
22 capable of performing a service to the employer, regardless of
23 occupation, providing the salary of the employee is not diminished
24 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,

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

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

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

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

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

22 6. "Reduction-in-cost amendment" means an amendment to a
23 retirement bill having a fiscal impact which reduces the cost of the
24

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.

24

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

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