

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
3 BILL NO. 2687

By: George of the House

and

Pemberton of the Senate

4  
5  
6  
7 An Act relating to public retirement systems;  
8 amending 62 O.S. 2021, Section 3103, as amended by  
9 Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.  
10 2023, Section 3103), which relates to the Oklahoma  
11 Pension Legislation Actuarial Analysis Act; modifying  
12 definition; providing that certain members may make  
13 election to participate in the Oklahoma Law  
14 Enforcement Retirement System; providing who shall be  
15 members of retirement system; providing for the  
16 transfer of certain contributions and records;  
17 providing that member shall pay the difference to  
18 receive credit; providing exception; prohibiting the  
19 transfer of service credit under certain  
20 circumstances; providing for codification; providing  
21 effective dates; providing for contingent effective  
22 dates based on outcome of approval of the emergency  
23 clause; and declaring an emergency.  
24

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
entire bill and insert

19 "An Act relating to public retirement systems;  
20 amending 47 O.S. 2021, Section 2-300, as amended by  
21 Section 8, Chapter 151, O.S.L. 2023 (47 O.S. Supp.  
22 2023, Section 2-300), which relates to the Oklahoma  
23 Law Enforcement Retirement System; defining term;  
24 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

1 agencies in the Oklahoma Law Enforcement Retirement  
2 System; providing for codification; providing  
3 effective dates; and declaring an emergency.

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

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

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

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

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

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

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

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

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

19 7. a. "Member" means:

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

1 Patrol Academy of the Department of Public  
2 Safety,

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

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

10 (4) law enforcement officers of the Alcoholic  
11 Beverage Laws Enforcement Commission designated  
12 to perform duties in the investigation and  
13 prevention of crime and the enforcement of the  
14 criminal laws of this state,

15 (5) employees of the Communications Section of the  
16 Oklahoma Highway Patrol Division, radio  
17 technicians and tower technicians of the  
18 Department of Public Safety, who are employed in  
19 any such capacity as of June 30, 2008, and who  
20 remain employed on or after July 1, 2008, until a  
21 termination of service, or until a termination of  
22 service with an election of a vested benefit from  
23 the System, or until retirement. Effective July  
24 1, 2008, a person employed for the first time as

1 an employee of the Department of Public Safety in  
2 the Communications Division as an information  
3 systems telecommunication technician of the  
4 Department of Public Safety shall not be a member  
5 of the System,

6 (6) park rangers of the Oklahoma Tourism and  
7 Recreation Department and any park manager or  
8 park supervisor of the Oklahoma Tourism and  
9 Recreation Department, who was employed in such a  
10 position prior to July 1, 1985, and who elects on  
11 or before September 1, 1996, to participate in  
12 the System, ~~and~~

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

14 (8) active commissioned or CLEET-certified agents  
15 hired by the Office of the Attorney General or  
16 the Military Department of the State of Oklahoma  
17 on or after the effective date of this act.

18 b. Effective July 1, 1987, a member does not include a  
19 "leased employee" as defined under Section 414(n) (2)  
20 of the Internal Revenue Code of 1986, as amended.  
21 Effective July 1, 1999, any individual who agrees with  
22 the participating employer that the individual's  
23 services are to be performed as a leased employee or  
24 an independent contractor shall not be a member

1           regardless of any classification as a common-law  
2           employee by the Internal Revenue Service or any other  
3           governmental agency, or any court of competent  
4           jurisdiction.

5           c. All persons ~~who shall be~~ offered a position ~~of a~~  
6           ~~commissioned law enforcement officer as an employee of~~  
7           ~~one of the agencies~~ described in subparagraph a of  
8           this paragraph shall participate in the System only  
9           upon ~~the person~~ meeting the requisite post-offer-pre-  
10          employment ~~physical~~ examination standards which shall  
11          be subject to the following requirements:

12          (1) all such persons shall be of good moral  
13             character, free from deformities, mental or  
14             physical conditions, or disease and alcohol or  
15             drug addiction which would prohibit the person  
16             from performing the duties of a law enforcement  
17             officer,

18          (2) the physical-medical examination shall pertain to  
19             age, sight, hearing, agility and other conditions  
20             the requirements of which shall be established by  
21             the Board,

22          (3) the person shall be required to meet the  
23             conditions of this subsection prior to the  
24             beginning of actual employment but after an offer

1 of employment has been tendered by a  
2 participating employer,

3 (4) the Board shall have authority to deny or revoke  
4 membership of any person submitting false  
5 information in such person's membership  
6 application, and

7 (5) the Board shall have final authority in  
8 determining eligibility for membership in the  
9 System, pursuant to the provisions of this  
10 subsection;

11 ~~7.~~ 8. "Normal retirement date" means the date at which the  
12 member is eligible to receive the unreduced payments of the member's  
13 accrued retirement benefit. Such date shall be the first day of the  
14 month coinciding with or following the date the member:

- 15 a. completes twenty (20) years of vesting service, or  
16 b. attains sixty-two (62) years of age with ten (10)  
17 years of vesting service, or  
18 c. attains sixty-two (62) years of age, if:

19 (1) the member has been transferred to this System  
20 from the Oklahoma Public Employees Retirement  
21 System on or after July 1, 1981, and

22 (2) the member would have been vested had the member  
23 continued to be a member of the Oklahoma Public  
24 Employees Retirement System.

1 With respect to distributions under the System made for calendar  
2 years beginning on or after January 1, 2005, the System shall apply  
3 the minimum distribution incidental benefit requirements, incidental  
4 benefit requirements, and minimum distribution requirements of  
5 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,  
6 in accordance with the final regulations under Section 401(a)(9) of  
7 the Internal Revenue Code of 1986, as amended, including Treasury  
8 Regulations Sections 1.401(a)(9)-1 through 1.401(a)(9)-9; provided,  
9 that for individuals who attain seventy and one-half (70 1/2) years  
10 of age after December 31, 2019, but before January 1, 2023, such  
11 distributions shall take into account that "age 70 1/2" was stricken  
12 and "age 72" was inserted in Sections 401(a)(9)(B)(iv)(I),  
13 401(a)(9)(C)(i)(I) and 401(a)(9)(C)(ii)(I) of the Internal Revenue  
14 Code of 1986, as amended, and, provided further, that for  
15 individuals who attain seventy-two (72) years of age after December  
16 31, 2022, such distributions shall take into account that "age 72"  
17 was stricken and "the applicable age", as defined in Section  
18 401(a)(9)(C)(v) of the Internal Revenue Code of 1986, as amended,  
19 was inserted in Section 401(a)(9)(B)(iv)(I), Section  
20 401(a)(9)(C)(i)(I) and Section 401(a)(9)(C)(ii)(I) of the Internal  
21 Revenue Code of 1986, as amended, in all cases notwithstanding any  
22 provision of the System to the contrary. With respect to  
23 distributions under the System made for calendar years beginning on  
24 or after January 1, 2001, through December 31, 2004, the System

1 shall apply the minimum distribution requirements and incidental  
2 benefit requirements of Section 401(a) (9) of the Internal Revenue  
3 Code of 1986, as amended, in accordance with the regulations under  
4 Section 401(a) (9) of the Internal Revenue Code of 1986, as amended,  
5 which were proposed in January 2001, notwithstanding any provision  
6 of the System to the contrary.

7       Effective July 1, 1989, notwithstanding any other provision  
8 contained herein to the contrary, in no event shall commencement of  
9 distribution of the accrued retirement benefit of a member be  
10 delayed beyond April 1 of the calendar year following the later of:  
11 (1) the calendar year in which the member reaches seventy and one-  
12 half (70 1/2) years of age for a member who attains this age before  
13 January 1, 2020, or, for a member who attains this age on or after  
14 January 1, 2020, but before January 1, 2023, the calendar year in  
15 which the member reaches seventy-two (72) years of age, or effective  
16 for distributions required to be made after December 31, 2022, the  
17 calendar year in which the member reaches seventy-three (73) years  
18 of age for an individual who attains age seventy-two (72) after  
19 December 31, 2022, or "the applicable age", as defined in Section  
20 401(a) (9) (C) (v) of the Internal Revenue Code of 1986, as amended, if  
21 later; or (2) the actual retirement date of the member. A member  
22 electing to defer the commencement of retirement benefits pursuant  
23 to Section 2-308.1 of this title may not defer the benefit  
24 commencement beyond the age of sixty-five (65).



1       Effective September 8, 2009, notwithstanding anything to the  
2 contrary of the System, the System, which as a governmental plan  
3 (within the meaning of Section 414(d) of the Internal Revenue Code  
4 of 1986, as amended), is treated as having complied with Section  
5 401(a)(9) of the Internal Revenue Code of 1986, as amended, for all  
6 years to which Section 401(a)(9) of the Internal Revenue Code of  
7 1986, as amended, applies to the System if the System complies with  
8 a reasonable and good faith interpretation of Section 401(a)(9) of  
9 the Internal Revenue Code of 1986, as amended.

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

24

1       ~~8.~~ 9. "Actual paid base salary" means the salary received by a  
2 member, excluding payment for any accumulated leave or uniform  
3 allowance. Salary shall include any amount of nonelective salary  
4 reduction under Section 414(h) of the Internal Revenue Code of 1986;

5       ~~9.~~ 10. "Final average salary" means the average of the highest  
6 thirty (30) consecutive complete months of actual paid gross salary.  
7 Gross salary shall include any amount of elective salary reduction  
8 under Section 457 of the Internal Revenue Code of 1986, as amended,  
9 and any amount of nonelective salary reduction under Section 414(h)  
10 of the Internal Revenue Code of 1986, as amended. Effective July 1,  
11 1992, gross salary shall include any amount of elective salary  
12 reduction under Section 125 of the Internal Revenue Code of 1986, as  
13 amended. Effective July 1, 1998, gross salary shall include any  
14 amount of elective salary reduction not includable in the gross  
15 income of the member under Section 132(f)(4) of the Internal Revenue  
16 Code of 1986, as amended. Effective July 1, 1998, for purposes of  
17 determining a member's compensation, any contribution by the member  
18 to reduce his or her regular cash remuneration under Section  
19 132(f)(4) of the Internal Revenue Code of 1986, as amended, shall be  
20 treated as if the member did not make such an election. Only salary  
21 on which required contributions have been made may be used in  
22 computing the final average salary. Gross salary shall not include  
23 severance pay.

24

1 In addition to other applicable limitations, and notwithstanding  
2 any other provision to the contrary, for plan years beginning on or  
3 after July 1, 2002, the annual gross salary of each "Noneligible  
4 Member" taken into account under the System shall not exceed the  
5 Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA")  
6 annual salary limit. The EGTRRA annual salary limit is Two Hundred  
7 Thousand Dollars (\$200,000.00), as adjusted by the Commissioner for  
8 increases in the cost of living in accordance with Section  
9 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The  
10 annual salary limit in effect for a calendar year applies to any  
11 period, not exceeding twelve (12) months, over which salary is  
12 determined ("determination period") beginning in such calendar year.  
13 If a determination period consists of fewer than twelve (12) months,  
14 the EGTRRA salary limit will be multiplied by a fraction, the  
15 numerator of which is the number of months in the determination  
16 period, and the denominator of which is twelve (12). For purposes  
17 of this section, a "Noneligible Member" is any member who first  
18 became a member during a plan year commencing on or after July 1,  
19 1996.

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

24

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

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

21       Effective January 1, 2008, back pay, within the meaning of  
22 Section 1.415(c)-2(g) (8) of the Income Tax Regulations, shall be  
23 treated as gross salary for the limitation year to which the back  
24

1 pay relates to the extent the back pay represents wages and  
2 compensation that would otherwise be included in this definition.

3 Effective for years beginning after December 31, 2008, gross  
4 salary shall also include differential wage payments under Section  
5 414(u) (12) of the Internal Revenue Code of 1986, as amended;

6 ~~10.~~ 11. "Credited service" means the period of service used to  
7 determine the amount of benefits payable to a member. Credited  
8 service shall consist of the period during which the member  
9 participated in the System or the predecessor Plan as an active  
10 employee in an eligible membership classification, plus any service  
11 prior to the establishment of the predecessor Plan which was  
12 credited under the predecessor Plan and for law enforcement officers  
13 and criminalists of the Oklahoma State Bureau of Investigation and  
14 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control  
15 who became members of the System on July 1, 1980, any service  
16 credited under the Oklahoma Public Employees Retirement System as of  
17 June 30, 1980, and for members of the Communications and Lake Patrol  
18 Divisions of the Oklahoma Department of Public Safety, who became  
19 members of the System on July 1, 1981, any service credited under  
20 the predecessor Plan or the Oklahoma Public Employees Retirement  
21 System as of June 30, 1981, and for law enforcement officers of the  
22 Alcoholic Beverage Laws Enforcement Commission who became members of  
23 the System on July 1, 1982, any service credited under the Oklahoma  
24 Public Employees Retirement System as of June 30, 1982, and for park

1 rangers of the Oklahoma Tourism and Recreation Department who became  
2 members of the System on July 1, 1985, any service credited under  
3 the Oklahoma Public Employees Retirement System as of June 30, 1985,  
4 and for inspectors of the State Board of Pharmacy who became members  
5 of the System on July 1, 1986, any service credited under the  
6 Oklahoma Public Employees Retirement System as of June 30, 1986, for  
7 law enforcement officers of the Oklahoma Capitol Patrol Division of  
8 the Department of Public Safety who became members of the System  
9 effective July 1, 1993, any service credited under the Oklahoma  
10 Public Employees Retirement System as of June 30, 1993, and for all  
11 commissioned officers in the Gunsmith/Ammunition Reloader Division  
12 of the Department of Public Safety who became members of the System  
13 effective July 1, 1994, any service credited under the Oklahoma  
14 Public Employees Retirement System as of June 30, 1994, and for the  
15 park managers or park supervisors of the Oklahoma Tourism and  
16 Recreation Department who were employed in such a position prior to  
17 July 1, 1985, and who elect to become members of the System  
18 effective September 1, 1996, any service transferred pursuant to  
19 subsection C of Section 2-309.6 of this title and any service  
20 purchased pursuant to subsection B of Section 2-307.2 of this title.  
21 Effective August 5, 1993, an authorized leave of absence shall  
22 include a period of absence pursuant to the Family and Medical Leave  
23 Act of 1993;

24

1       ~~11.~~ 12. "Disability" means a physical or mental condition  
2 which, in the judgment of the Board, totally and presumably  
3 permanently prevents the member from engaging in the usual and  
4 customary duties of the occupation of the member and thereafter  
5 prevents the member from performing the duties of any occupation or  
6 service for which the member is qualified by reason of training,  
7 education or experience. A person is not under a disability when  
8 capable of performing a service to the employer, regardless of  
9 occupation, providing the salary of the employee is not diminished  
10 thereby;

11       ~~12.~~ 13. "Limitation year" means the year used in applying the  
12 limitations of Section 415 of the Internal Revenue Code of 1986,  
13 which year shall be the calendar year;

14       ~~13.~~ 14. "Line of duty" means any action which a member whose  
15 primary function is crime control or reduction or enforcement of the  
16 criminal law is obligated or authorized by rule, regulations,  
17 condition of employment or service, or law to perform including  
18 those social, ceremonial or athletic functions to which the member  
19 is assigned, or for which the member is compensated, by the agency  
20 the member serves;

21       ~~14.~~ 15. "Personal injury" or "injury" means any traumatic  
22 injury as well as diseases which are caused by or result from such  
23 an injury, but not occupational diseases;

24

1       ~~15.~~ 16. "Catastrophic nature" means consequences of an injury  
2 that permanently prevent an individual from performing any gainful  
3 work;

4       ~~16.~~ 17. "Traumatic injury" means a wound or a condition of the  
5 body caused by external force including injuries inflicted by  
6 bullets, explosives, sharp instruments, blunt objects or other  
7 physical blows, chemicals, electricity, climatic conditions,  
8 infectious diseases, radiation and bacteria, but excluding stress  
9 and strain; and

10       ~~17.~~ 18. "Beneficiary" means the individual designated by the  
11 member on a beneficiary designation form supplied by the Oklahoma  
12 Law Enforcement Retirement System, or, if there is no designated  
13 beneficiary or if the designated beneficiary predeceases the member,  
14 the estate of the member. If the member's spouse is not designated  
15 as the sole primary beneficiary, the member's spouse must sign a  
16 consent.

17       SECTION 2.       AMENDATORY       62 O.S. 2021, Section 3103, as  
18 last amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.  
19 2023, Section 3103), is amended to read as follows:

20       Section 3103. As used in the Oklahoma Pension Legislation  
21 Actuarial Analysis Act:

22       1. "Amendment" means any amendment, including a substitute  
23 bill, made to a retirement bill by any committee of the House of

24



1 Representatives or Senate, any conference committee of the House or  
2 Senate or by the House or Senate;

3 2. "RB number" means that number preceded by the letters "RB"  
4 assigned to a retirement bill by the respective staffs of the  
5 ~~Oklahoma State~~ Senate and the ~~Oklahoma~~ House of Representatives when  
6 the respective staff office prepares a retirement bill for a member  
7 of the Legislature;

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

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

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

18 a. which does not affect the cost or funding factors of a  
19 retirement system,

20 b. which affects such factors only in a manner which does  
21 not:

22 (1) grant a benefit increase under the retirement  
23 system affected by the bill,

24

- 1 (2) create an actuarial accrued liability for or  
2 increase the actuarial accrued liability of the  
3 retirement system affected by the bill, or  
4 (3) increase the normal cost of the retirement system  
5 affected by the bill,

6 c. which authorizes the purchase by an active member of  
7 the retirement system, at the actuarial cost for the  
8 purchase as computed pursuant to the statute in effect  
9 on the effective date of the measure allowing such  
10 purchase, of years of service for purposes of reaching  
11 a normal retirement date in the applicable retirement  
12 system, but which cannot be used in order to compute  
13 the number of years of service for purposes of  
14 computing the retirement benefit for the member,

15 d. which provides for the computation of a service-  
16 connected disability retirement benefit for members of  
17 the Oklahoma Law Enforcement Retirement System  
18 pursuant to Section 2-305 of Title 47 of the Oklahoma  
19 Statutes if the members were unable to complete twenty  
20 (20) years of service as a result of the disability,

21 e. which requires membership in the defined benefit plan  
22 authorized by Section 901 et seq. of Title 74 of the  
23 Oklahoma Statutes for persons whose first elected or  
24 appointed service occurs on or after November 1, 2018,

1 if such persons had any prior service in the Oklahoma  
2 Public Employees Retirement System prior to November  
3 1, 2015,

4 f. which provides for a one-time increase in retirement  
5 benefits if the increase in retirement benefits is not  
6 a permanent increase in the gross annual retirement  
7 benefit payable to a member or beneficiary, occurs  
8 only once pursuant to a single statutory authorization  
9 and does not exceed:

10 (1) the lesser of two percent (2%) of the gross  
11 annual retirement benefit of the member or One  
12 Thousand Dollars (\$1,000.00) and requires that  
13 the benefit may only be provided if the funded  
14 ratio of the affected retirement system would not  
15 be less than sixty percent (60%) but not greater  
16 than eighty percent (80%) after the benefit  
17 increase is paid,

18 (2) the lesser of two percent (2%) of the gross  
19 annual retirement benefit of the member or One  
20 Thousand Two Hundred Dollars (\$1,200.00) and  
21 requires that the benefit may only be provided if  
22 the funded ratio of the affected retirement  
23 system would be greater than eighty percent (80%)  
24

1 but not greater than one hundred percent (100%)  
2 after the benefit increase is paid,

3 (3) the lesser of two percent (2%) of the gross  
4 annual retirement benefit of the member or One  
5 Thousand Four Hundred Dollars (\$1,400.00) and  
6 requires that the benefit may only be provided if  
7 the funded ratio of the affected retirement  
8 system would be greater than one hundred percent  
9 (100%) after the benefit increase is paid, or

10 (4) the greater of two percent (2%) of the gross  
11 annual retirement benefit of the volunteer  
12 firefighter or One Hundred Dollars (\$100.00) for  
13 persons who retired from the Oklahoma  
14 Firefighters Pension and Retirement System as  
15 volunteer firefighters and who did not retire  
16 from the Oklahoma Firefighters Pension and  
17 Retirement System as a paid firefighter.

18 As used in this subparagraph, "funded ratio" means the  
19 figure derived by dividing the actuarial value of  
20 assets of the applicable retirement system by the  
21 actuarial accrued liability of the applicable  
22 retirement system,

23 g. which modifies the disability pension standard for  
24 police officers who are members of the Oklahoma Police

1 Pension and Retirement System as provided by ~~Section 3~~  
2 ~~of this act~~ Section 50-115 of Title 11 of the Oklahoma  
3 Statutes,

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

6 (1) Section 49-143.7 of Title 11 of the Oklahoma  
7 Statutes,

8 (2) Section 50-136.9 of Title 11 of the Oklahoma  
9 Statutes,

10 (3) Section 1104K of Title 20 of the Oklahoma  
11 Statutes,

12 (4) Section 2-305.12 of Title 47 of the Oklahoma  
13 Statutes,

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

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

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

22 j. which authorizes membership in the Oklahoma Law  
23 Enforcement Retirement System for active commissioned  
24 or CLEET-certified agents of the Office of the

1           Attorney General or the Military Department of the  
2           State of Oklahoma pursuant to Sections 3 and 4 of this  
3           act.

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

11         6. "Reduction-in-cost amendment" means an amendment to a  
12 retirement bill having a fiscal impact which reduces the cost of the  
13 bill as such cost is determined by the actuarial investigation for  
14 the bill prepared pursuant to Section 3109 of this title;

15         7. "Retirement bill" means any bill or joint resolution  
16 introduced or any bill or joint resolution amended by a member of  
17 the ~~Oklahoma~~ Legislature which creates or amends any law directly  
18 affecting a retirement system. A retirement bill shall not mean a  
19 bill or resolution that impacts the revenue of any state tax in  
20 which a portion of the revenue generated from such tax is earmarked  
21 for the benefit of a retirement system;

22         8. "Retirement bill having a fiscal impact" means any  
23 retirement bill creating or establishing a retirement system and any  
24 other retirement bill other than a nonfiscal retirement bill; and

1 9. "Retirement system" means the Teachers' Retirement System of  
2 Oklahoma, the Oklahoma Public Employees Retirement System, the  
3 Uniform Retirement System for Justices and Judges, the Oklahoma  
4 Firefighters Pension and Retirement System, the Oklahoma Police  
5 Pension and Retirement System, the Oklahoma Law Enforcement  
6 Retirement System, or a retirement system established after January  
7 1, 2006.

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

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

24

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

4           Commissioned or CLEET-certified agents of the Military  
5 Department of the State of Oklahoma who are hired on or after July  
6 1, 2024, shall participate in and make contributions to the Oklahoma  
7 Law Enforcement Retirement System as other participating employers  
8 and members of the System. Such employees shall not make  
9 contributions to any plan offered by the Oklahoma Public Employees  
10 Retirement System, other than the Oklahoma State Employees Deferred  
11 Compensation Plan and the Oklahoma State Employees Deferred Savings  
12 Incentive Plan. The Department shall be a participating employer in  
13 the Oklahoma Law Enforcement Retirement System for all Office of the  
14 Attorney General commissioned or CLEET-certified agents who  
15 participate in the Oklahoma Law Enforcement Retirement System  
16 pursuant to the provisions of this section.

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

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



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

5 SECTION 8. Except as otherwise provided by Section 6 of this  
6 act, Sections 1, 3, and 4 of this act shall become effective July 1,  
7 2024.

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

12 Passed the Senate the 24th day of April, 2024.

13  
14 \_\_\_\_\_  
15 Presiding Officer of the Senate

16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
17 2024.

18  
19 \_\_\_\_\_  
20 Presiding Officer of the House  
21 of Representatives

22  
23  
24

1 ENGROSSED HOUSE  
2 BILL NO. 2687

By: George of the House

and

Pemberton of the Senate

3  
4  
5  
6  
7 An Act relating to public retirement systems;  
8 amending 62 O.S. 2021, Section 3103, as amended by  
9 Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.  
10 2023, Section 3103), which relates to the Oklahoma  
11 Pension Legislation Actuarial Analysis Act; modifying  
12 definition; providing that certain members may make  
13 election to participate in the Oklahoma Law  
14 Enforcement Retirement System; providing who shall be  
15 members of retirement system; providing for the  
16 transfer of certain contributions and records;  
17 providing that member shall pay the difference to  
18 receive credit; providing exception; prohibiting the  
19 transfer of service credit under certain  
20 circumstances; providing for codification; providing  
21 effective dates; providing for contingent effective  
22 dates based on outcome of approval of the emergency  
23 clause; and declaring an emergency.  
24

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

SECTION 10. AMENDATORY 62 O.S. 2021, Section 3103, as  
amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp. 2023,  
Section 3103), is amended to read as follows:

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

1       1. "Amendment" means any amendment, including a substitute  
2 bill, made to a retirement bill by any committee of the House or  
3 Senate, any conference committee of the House or Senate or by the  
4 House or Senate;

5       2. "RB number" means that number preceded by the letters "RB"  
6 assigned to a retirement bill by the respective staffs of the  
7 Oklahoma State Senate and the Oklahoma House of Representatives when  
8 the respective staff office prepares a retirement bill for a member  
9 of the Legislature;

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

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

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

20           a. which does not affect the cost or funding factors of a  
21 retirement system,

22           b. which affects such factors only in a manner which does  
23 not:

24

- (1) grant a benefit increase under the retirement system affected by the bill,
- (2) create an actuarial accrued liability for or increase the actuarial accrued liability of the retirement system affected by the bill, or
- (3) increase the normal cost of the retirement system affected by the bill,

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

d. which provides for the computation of a service-connected disability retirement benefit for members of the Oklahoma Law Enforcement Retirement System pursuant to Section 2-305 of Title 47 of the Oklahoma Statutes if the members were unable to complete twenty (20) years of service as a result of the disability,

e. which requires membership in the defined benefit plan authorized by Section 901 et seq. of Title 74 of the

1 Oklahoma Statutes for persons whose first elected or  
2 appointed service occurs on or after November 1, 2018,  
3 if such persons had any prior service in the Oklahoma  
4 Public Employees Retirement System prior to November  
5 1, 2015,

6 f. which provides for a one-time increase in retirement  
7 benefits if the increase in retirement benefits is not  
8 a permanent increase in the gross annual retirement  
9 benefit payable to a member or beneficiary, occurs  
10 only once pursuant to a single statutory authorization  
11 and does not exceed:

12 (1) the lesser of two percent (2%) of the gross  
13 annual retirement benefit of the member or One  
14 Thousand Dollars (\$1,000.00) and requires that  
15 the benefit may only be provided if the funded  
16 ratio of the affected retirement system would not  
17 be less than sixty percent (60%) but not greater  
18 than eighty percent (80%) after the benefit  
19 increase is paid,

20 (2) the lesser of two percent (2%) of the gross  
21 annual retirement benefit of the member or One  
22 Thousand Two Hundred Dollars (\$1,200.00) and  
23 requires that the benefit may only be provided if  
24 the funded ratio of the affected retirement

1 system would be greater than eighty percent (80%)  
2 but not greater than one hundred percent (100%)  
3 after the benefit increase is paid,

4 (3) the lesser of two percent (2%) of the gross  
5 annual retirement benefit of the member or One  
6 Thousand Four Hundred Dollars (\$1,400.00) and  
7 requires that the benefit may only be provided if  
8 the funded ratio of the affected retirement  
9 system would be greater than one hundred percent  
10 (100%) after the benefit increase is paid, or

11 (4) the greater of two percent (2%) of the gross  
12 annual retirement benefit of the volunteer  
13 firefighter or One Hundred Dollars (\$100.00) for  
14 persons who retired from the Oklahoma  
15 Firefighters Pension and Retirement System as  
16 volunteer firefighters and who did not retire  
17 from the Oklahoma Firefighters Pension and  
18 Retirement System as a paid firefighter.

19 As used in this subparagraph, "funded ratio" means the  
20 figure derived by dividing the actuarial value of  
21 assets of the applicable retirement system by the  
22 actuarial accrued liability of the applicable  
23 retirement system,

24

1 g. which modifies the disability pension standard for  
2 police officers who are members of the Oklahoma Police  
3 Pension and Retirement System as provided by Section 3  
4 of this act,

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

7 (1) Section 49-143.7 of Title 11 of the Oklahoma  
8 Statutes,

9 (2) Section 50-136.9 of Title 11 of the Oklahoma  
10 Statutes,

11 (3) Section 1104K of Title 20 of the Oklahoma  
12 Statutes,

13 (4) Section 2-305.12 of Title 47 of the Oklahoma  
14 Statutes,

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

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

19 i. which modifies the computation of the line-of-duty  
20 disability benefit pursuant to the provisions of this  
21 act, or

22 j. which authorizes membership in the Oklahoma Law  
23 Enforcement Retirement System for certain individuals  
24 pursuant to Sections 2 and 3 of this act.

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

8 6. "Reduction-in-cost amendment" means an amendment to a  
9 retirement bill having a fiscal impact which reduces the cost of the  
10 bill as such cost is determined by the actuarial investigation for  
11 the bill prepared pursuant to Section 3109 of this title;

12 7. "Retirement bill" means any bill or joint resolution  
13 introduced or any bill or joint resolution amended by a member of  
14 the Oklahoma Legislature which creates or amends any law directly  
15 affecting a retirement system. A retirement bill shall not mean a  
16 bill or resolution that impacts the revenue of any state tax in  
17 which a portion of the revenue generated from such tax is earmarked  
18 for the benefit of a retirement system;

19 8. "Retirement bill having a fiscal impact" means any  
20 retirement bill creating or establishing a retirement system and any  
21 other retirement bill other than a nonfiscal retirement bill; and

22 9. "Retirement system" means the Teachers' Retirement System of  
23 Oklahoma, the Oklahoma Public Employees Retirement System, the  
24 Uniform Retirement System for Justices and Judges, the Oklahoma



1 Firefighters Pension and Retirement System, the Oklahoma Police  
2 Pension and Retirement System, the Oklahoma Law Enforcement  
3 Retirement System, or a retirement system established after January  
4 1, 2006.

5 SECTION 11. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 2-309.9 of Title 47, unless  
7 there is created a duplication in numbering, reads as follows:

8 A. Members of the Oklahoma Public Employees Retirement System  
9 who are active commissioned or Council on Law Enforcement Education  
10 and Training (CLEET) certified agents of the Office of the Attorney  
11 General on June 30, 2024, may make an irrevocable written election  
12 within sixty (60) days of the effective date of this act to  
13 participate in the Oklahoma Law Enforcement Retirement System.  
14 Commissioned or CLEET-certified agents of the Office of the Attorney  
15 General who are hired on or after July 1, 2024, shall participate in  
16 and make contributions to the Oklahoma Law Enforcement Retirement  
17 System as other participating employers and members of the System.  
18 Officers who make the election as provided by this section shall be  
19 subject to the following:

20 1. Upon the date the commissioned or CLEET-certified agent  
21 makes the election pursuant to this section, he or she shall cease  
22 accruing benefits in the Oklahoma Public Employees Retirement System  
23 and shall commence accruing benefits in the Oklahoma Law Enforcement  
24 Retirement System;

1           2. Prior to the beginning of the month following receipt of the  
2 commissioned or CLEET-certified agent's election by the Oklahoma  
3 Public Employees Retirement System, the Oklahoma Public Employees  
4 Retirement System shall transfer to the Oklahoma Law Enforcement  
5 Retirement System all employee contributions and employer  
6 contributions including any amounts received by the Oklahoma Public  
7 Employees Retirement System on behalf of a transferring member  
8 related to a purchase or transfer of credited service to the  
9 Oklahoma Public Employees Retirement System. The Oklahoma Public  
10 Employees Retirement System shall also send to the Oklahoma Law  
11 Enforcement Retirement System the retirement records of the  
12 transferring member;

13           3. To receive service credit accrued by such transferring  
14 member prior to the election, or prior to the date as of which the  
15 person making the election ceases to be a member of the Oklahoma  
16 Public Employees Retirement System, whichever date occurs last, the  
17 member shall make an irrevocable written election. The election  
18 shall be to pay the difference between the amount transferred by the  
19 Oklahoma Public Employees Retirement System to the Oklahoma Law  
20 Enforcement Retirement System in paragraph 2 of this subsection and  
21 the amount determined by the Board of Trustees pursuant to Section  
22 2-307.5 of Title 47 of the Oklahoma Statutes to receive full  
23 eligible credit for the years sought to be transferred or receive  
24 eligible prorated service credit for only the amount received from

1 the Oklahoma Public Employees Retirement System pursuant to this  
2 subsection. Payments made by such transferring members pursuant to  
3 this paragraph shall be made pursuant to subsection B of Section 2-  
4 307.5 of Title 47 of the Oklahoma Statutes;

5 4. Service credit shall only be transferable pursuant to this  
6 section if the transferring member is not receiving or eligible to  
7 receive service credit or benefits from said service in any other  
8 public retirement system and has not received service credit for the  
9 same years of service pursuant to Sections 2-307.1, 2-307.3, and 2-  
10 307.4 of Title 47 of the Oklahoma Statutes. Provided further, that  
11 only transferred credited service related to the commissioned or  
12 CLEET-certified agent with the Office of the Attorney General and  
13 any other law enforcement related service, including service with  
14 the Office of the Attorney General as a commissioned or CLEET-  
15 certified agent or any credited service that was purchased or  
16 transferred to the Oklahoma Public Employees Retirement System from  
17 the Oklahoma Law Enforcement Retirement System or the Oklahoma  
18 Police Pension and Retirement System, shall be included in the  
19 determination of an officer's normal retirement date or vesting date  
20 in the Oklahoma Law Enforcement Retirement System; and

21 5. All service credit with the Oklahoma Public Employees  
22 Retirement System which is ineligible for transfer to the Oklahoma  
23 Law Enforcement Retirement System shall be canceled.

24

1 B. Members participating in the defined contribution system,  
2 pursuant to Section 935.1 et seq. of Title 74 of the Oklahoma  
3 Statutes, who are active commissioned or Council on Law Enforcement  
4 Education and Training (CLEET) certified agents of the Office of the  
5 Attorney General on June 30, 2024, may make an irrevocable written  
6 election within sixty (60) days of the effective date of this act to  
7 participate in the Oklahoma Law Enforcement Retirement System.  
8 Commissioned or CLEET-certified agents of the Office of the Attorney  
9 General who are hired on or after July 1, 2024, shall participate in  
10 and make contributions to the Oklahoma Law Enforcement Retirement  
11 System as other participating employers and members of the System.  
12 Officers who make the election as provided by this section shall be  
13 subject to the following:

14 1. Upon the date the commissioned or CLEET-certified agent  
15 makes the election pursuant to this section, he or she shall cease  
16 participating in and making contributions to the defined  
17 contribution system and shall commence accruing benefits in the  
18 Oklahoma Law Enforcement Retirement System;

19 2. Prior to the beginning of the month following receipt of the  
20 commissioned or CLEET-certified agent's election by the defined  
21 contributions system, the Oklahoma Public Employees Retirement  
22 System shall transfer to the Oklahoma Law Enforcement Retirement  
23 System all employee contributions and employer contributions. The  
24 Oklahoma Public Employees Retirement System shall also send to the

1 Oklahoma Law Enforcement Retirement System the retirement records of  
2 the transferring member; and

3 3. To receive service credit accrued by such transferring  
4 member prior to the election, or prior to the date as of which the  
5 person making the election ceases to be a member of the defined  
6 contribution system, whichever date occurs last, the member shall  
7 make an irrevocable written election. The election shall be to pay  
8 the difference between the amount transferred by the Oklahoma Public  
9 Employees Retirement System to the Oklahoma Law Enforcement  
10 Retirement System in paragraph 2 of this subsection and the amount  
11 determined by the Board of Trustees pursuant to Section 2-307.5 of  
12 Title 47 of the Oklahoma Statutes to receive full eligible credit  
13 for the years sought to be transferred or receive eligible prorated  
14 service credit for only the amount received from the Oklahoma Public  
15 Employees Retirement System pursuant to this subsection. Payments  
16 made by such transferring members pursuant to this paragraph shall  
17 be made pursuant to subsection B of Section 2-307.5 of Title 47 of  
18 the Oklahoma Statutes.

19 C. The Office of the Attorney General shall be a participating  
20 employer in the Oklahoma Law Enforcement Retirement System for all  
21 Office of the Attorney General commissioned or CLEET-certified  
22 agents who participate in the Oklahoma Law Enforcement Retirement  
23 System pursuant to the provisions of this section.

24

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

4 A. Members of the Oklahoma Public Employees Retirement System  
5 who are active commissioned or Council on Law Enforcement Education  
6 and Training (CLEET) certified agents of the Oklahoma Military  
7 Department on June 30, 2024, may make an irrevocable written  
8 election within sixty (60) days of the effective date of this act to  
9 participate in the Oklahoma Law Enforcement Retirement System.

10 Commissioned or CLEET-certified agents of the Oklahoma Military  
11 Department who are hired on or after July 1, 2024, shall participate  
12 in and make contributions to the Oklahoma Law Enforcement Retirement  
13 System as other participating employers and members of the System.  
14 Officers who make the election as provided by this section shall be  
15 subject to the following:

16 1. Upon the date the commissioned or CLEET-certified agent  
17 makes the election pursuant to this section, he or she shall cease  
18 accruing benefits in the Oklahoma Public Employees Retirement System  
19 and shall commence accruing benefits in the Oklahoma Law Enforcement  
20 Retirement System;

21 2. Prior to the beginning of the month following receipt of the  
22 commissioned or CLEET-certified agent's election by the Oklahoma  
23 Public Employees Retirement System, the Oklahoma Public Employees  
24 Retirement System shall transfer to the Oklahoma Law Enforcement

1 Retirement System all employee contributions and employer  
2 contributions including any amounts received by the Oklahoma Public  
3 Employees Retirement System on behalf of a transferring member  
4 related to a purchase or transfer of credited service to the  
5 Oklahoma Public Employees Retirement System. The Oklahoma Public  
6 Employees Retirement System shall also send to the Oklahoma Law  
7 Enforcement Retirement System the retirement records of the  
8 transferring member;

9 3. To receive service credit accrued by such transferring  
10 member prior to the election, or prior to the date as of which the  
11 person making the election ceases to be a member of the Oklahoma  
12 Public Employees Retirement System, whichever date occurs last, the  
13 member shall make an irrevocable written election. The election  
14 shall be to pay the difference between the amount transferred by the  
15 Oklahoma Public Employees Retirement System to the Oklahoma Law  
16 Enforcement Retirement System in paragraph 2 of this subsection and  
17 the amount determined by the Board of Trustees pursuant to Section  
18 2-307.5 of Title 47 of the Oklahoma Statutes to receive full  
19 eligible credit for the years sought to be transferred or receive  
20 eligible prorated service credit for only the amount received from  
21 the Oklahoma Public Employees Retirement System pursuant to this  
22 subsection. Payments made by such transferring members pursuant to  
23 this paragraph shall be made pursuant to subsection B of Section 2-  
24 307.5 of Title 47 of the Oklahoma Statutes;

1           4. Service credit shall only be transferable pursuant to this  
2 section if the transferring member is not receiving or eligible to  
3 receive service credit or benefits from said service in any other  
4 public retirement system and has not received service credit for the  
5 same years of service pursuant to Sections 2-307.1, 2-307.3, and 2-  
6 307.4 of Title 47 of the Oklahoma Statutes. Provided further, that  
7 only transferred credited service related to the commissioned or  
8 CLEET-certified agent with the Oklahoma Military Department and any  
9 other law enforcement related service, including service with the  
10 Oklahoma Military Department as a commissioned or CLEET-certified  
11 agent or any credited service that was purchased or transferred to  
12 the Oklahoma Public Employees Retirement System from the Oklahoma  
13 Law Enforcement Retirement System or the Oklahoma Police Pension and  
14 Retirement System, shall be included in the determination of an  
15 officer's normal retirement date or vesting date in the Oklahoma Law  
16 Enforcement Retirement System; and

17           5. All service credit with the Oklahoma Public Employees  
18 Retirement System which is ineligible for transfer to the Oklahoma  
19 Law Enforcement Retirement System shall be canceled.

20           B. Members participating in the defined contribution system,  
21 pursuant to Section 935.1 et seq. of Title 74 of the Oklahoma  
22 Statutes, who are active commissioned or Council on Law Enforcement  
23 Education and Training (CLEET) certified agents of the Oklahoma  
24 Military Department on June 30, 2024, may make an irrevocable



1 written election within sixty (60) days of the effective date of  
2 this act to participate in the Oklahoma Law Enforcement Retirement  
3 System. Commissioned or CLEET-certified agents of the Oklahoma  
4 Military Department who are hired on or after July 1, 2024, shall  
5 participate in and make contributions to the Oklahoma Law  
6 Enforcement Retirement System as other participating employers and  
7 members of the System. Officers who make the election as provided  
8 by this section shall be subject to the following:

9 1. Upon the date the commissioned or CLEET-certified agent  
10 makes the election pursuant to this section, he or she shall cease  
11 participating in and making contributions to the defined  
12 contribution system and shall commence accruing benefits in the  
13 Oklahoma Law Enforcement Retirement System;

14 2. Prior to the beginning of the month following receipt of the  
15 commissioned or CLEET-certified agent's election by the defined  
16 contributions system, the Oklahoma Public Employees Retirement  
17 System shall transfer to the Oklahoma Law Enforcement Retirement  
18 System all employee contributions and employer contributions. The  
19 Oklahoma Public Employees Retirement System shall also send to the  
20 Oklahoma Law Enforcement Retirement System the retirement records of  
21 the transferring member; and

22 3. To receive service credit accrued by such transferring  
23 member prior to the election, or prior to the date as of which the  
24 person making the election ceases to be a member of the defined

1 contribution system, whichever date occurs last, the member shall  
2 make an irrevocable written election. The election shall be to pay  
3 the difference between the amount transferred by the Oklahoma Public  
4 Employees Retirement System to the Oklahoma Law Enforcement  
5 Retirement System in paragraph 2 of this subsection and the amount  
6 determined by the Board of Trustees pursuant to Section 2-307.5 of  
7 Title 47 of the Oklahoma Statutes to receive full eligible credit  
8 for the years sought to be transferred or receive eligible prorated  
9 service credit for only the amount received from the Oklahoma Public  
10 Employees Retirement System pursuant to this subsection. Payments  
11 made by such transferring members pursuant to this paragraph shall  
12 be made pursuant to subsection B of Section 2-307.5 of Title 47 of  
13 the Oklahoma Statutes.

14 C. The Oklahoma Military Department shall be a participating  
15 employer in the Oklahoma Law Enforcement Retirement System for all  
16 Oklahoma Military Department commissioned or CLEET-certified agents  
17 who participate in the Oklahoma Law Enforcement Retirement System  
18 pursuant to the provisions of this section.

19 SECTION 13. If the Emergency Clause is not approved pursuant to  
20 the requirements of the Oklahoma Constitution as part of this  
21 measure, the effective date of Section 1 of this act shall be  
22 October 1, 2024.

23 SECTION 14. If the Emergency Clause is not approved pursuant to  
24 the requirements of the Oklahoma Constitution as part of this

1 measure, the effective date of Sections 2 and 3 of this act shall be  
2 November 1, 2024.

3 SECTION 15. Except as otherwise provided by Section 4 of this  
4 act, Section 1 of this act shall become effective immediately upon  
5 signature by the Governor or as otherwise provided by Section 58 of  
6 Article V of the Oklahoma Constitution.

7 SECTION 16. Except as otherwise provided by Section 5 of this  
8 act, Sections 2 and 3 of this act shall become effective July 1,  
9 2024.

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

14 Passed the House of Representatives the 12th day of March, 2024.

15  
16 \_\_\_\_\_  
17 Presiding Officer of the House  
18 of Representatives

19 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2024.

20  
21 \_\_\_\_\_  
22 Presiding Officer of the Senate  
23  
24