

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2688 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

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

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: John George

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2688

By: George

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Law Enforcement Retirement System; amending 62 O.S. 2021, Section 3103, as amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp. 2022, Section 3103), which relates to the Oklahoma Pension Legislation Actuarial Analysis Act; modifying definition; providing who shall be members of retirement system; providing for codification; providing effective dates if emergency clause is not approved; and declaring an emergency.

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

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

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

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

Senate, any conference committee of the House or Senate or by the House or Senate;

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

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

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

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

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

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

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

- 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 50-115 of this act Title 11 of the Oklahoma Statutes,
3 h. which provides a cost-of-living benefit increase
4 pursuant to the provisions of:
5 (1) Section 49-143.7 of Title 11 of the Oklahoma
6 Statutes,
7 (2) Section 50-136.9 of Title 11 of the Oklahoma
8 Statutes,
9 (3) Section 1104K of Title 20 of the Oklahoma
10 Statutes,
11 (4) Section 2-305.12 of Title 47 of the Oklahoma
12 Statutes,
13 (5) Section 17-116.22 of Title 70 of the Oklahoma
14 Statutes,
15 (6) Section 930.11 of Title 74 of the Oklahoma
16 Statutes, ~~or~~
17 i. which modifies the computation of the line-of-duty
18 disability benefit pursuant to the provisions of this
19 act, or
20 j. which allows for participation of commissioned or
21 Council on Law Enforcement Education and Training
22 (CLEET) certified agents of the Office of the Attorney
23 General in the Oklahoma Law Enforcement Retirement
24 System pursuant to Section 2 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 2. 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. Commissioned or Council on Law Enforcement Education and
9 Training (CLEET) certified agents of the Office of the Attorney
10 General who are hired on or after July 1, 2023, shall participate in
11 and make contributions to the Oklahoma Law Enforcement Retirement
12 System as other participating employers and members of the System.

13 B. The Office of the Attorney General shall be a participating
14 employer in the Oklahoma Law Enforcement Retirement System for all
15 Office of the Attorney General commissioned or CLEET certified
16 agents who participate in the Oklahoma Law Enforcement Retirement
17 System pursuant to the provisions of this section.

18 SECTION 3. If the Emergency Clause is not approved pursuant to
19 the requirements of the Oklahoma Constitution as part of this
20 measure, the effective date of Section 1 of this act shall be
21 October 1, 2023.

22 SECTION 4. If the Emergency Clause is not approved pursuant to
23 the requirements of the Oklahoma Constitution as part of this
24

1 measure, the effective date of Section 2 of this act shall be
2 November 1, 2023.

3 SECTION 5. Except as otherwise provided by Section 3 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 6. Except as otherwise provided by Section 4 of this
8 act, Section 2 of this act shall become effective July 1, 2023.

9 SECTION 7. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 59-1-7561 CMA 02/20/23
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