

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 453

By: Montgomery

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Firefighters Pension and Retirement System; amending 11 O.S. 2021, Sections 49-101 and 49-101.2, as amended by Sections 3 and 4, Chapter 232, O.S.L. 2022 (11 O.S. Supp. 2022, Sections 49-101 and 49-101.2), which relate to volunteer firefighter pension amounts; modifying volunteer firefighter pension amount; and modifying compensation determination.

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 49-101, as amended by Section 3, Chapter 232, O.S.L. 2022 (11 O.S. Supp. 2022, Section 49-101), is amended to read as follows:

Section 49-101. A. All retired volunteer firefighters who qualify for retirement shall be entitled to a monthly pension. The monthly pension of a volunteer firefighter who retires prior to the effective date of this act shall be in the amount retired volunteer firefighters are receiving at the time the volunteer firefighter begins to receive a pension for each year of credited service not to

1 exceed thirty (30) years. Volunteer firefighters who retire on and
2 after the effective date of this act shall receive a monthly pension
3 in the amount of Ten Dollars (\$10.00) for each year of credited
4 service not to exceed thirty (30) years. In determining the number
5 of years of credited service, a fractional year of six (6) months or
6 more shall be counted as one (1) full year and a fractional year of
7 less than six (6) months shall not be counted in such determination.
8 Retired volunteer firefighters of a municipality shall receive a
9 pension of not less than that which retired volunteer firefighters
10 of such municipality were receiving on June 30, 1985.

11 B. A volunteer firefighter who terminates service after
12 completing ten (10) years of credited service, but less than twenty
13 (20) years of credited service, shall be entitled to receive a
14 vested benefit commencing on the date the firefighter reaches fifty
15 (50) years of age or the date the firefighter would have had twenty
16 (20) years of credited service had the firefighter's service
17 continued uninterrupted, whichever is later. The monthly amount of
18 such retirement benefit shall be the amount being paid to volunteer
19 firefighters at the time the member vests multiplied by the number
20 of years of credited service. Credited service must be established
21 at the time of the volunteer firefighter's termination. If a
22 volunteer firefighter who terminated employment and elected, or was
23 eligible to elect, a vested benefit dies prior to being eligible to
24 receive benefits, the volunteer firefighter's beneficiary, as

1 defined in paragraph 16 of Section 49-100.1 of this title, shall be
2 entitled to the volunteer firefighter's normal monthly retirement
3 benefit on the date the deceased volunteer firefighter would have
4 been eligible to receive the benefit.

5 SECTION 2. AMENDATORY 11 O.S. 2021, Section 49-101.2, as
6 amended by Section 4, Chapter 232, O.S.L. 2022 (11 O.S. Supp. 2022,
7 Section 49-101.2), is amended to read as follows:

8 Section 49-101.2. Any member serving as an active volunteer
9 firefighter who receives annual compensation from the fire
10 department the firefighter is enrolled in as a member of the
11 Oklahoma Firefighters Pension and Retirement System for services
12 related to firefighting, other than reimbursement of expenses in
13 excess of ~~five and one-half (5 1/2) times the annual pension benefit~~
14 ~~paid by the System to a retired volunteer firefighter with twenty~~
15 ~~(20) years credited service~~ Nine Thousand Nine Hundred Thirty-nine
16 Dollars and sixty-nine cents (\$9,939.69), shall be considered a paid
17 firefighter and must meet the physical and agility requirements
18 pursuant to Section 49-116 of this title to continue as an active
19 member of the System. Credited service earned as a paid firefighter
20 pursuant to this section shall not be considered actual experience
21 as a paid firefighter for purposes of meeting the qualifications of
22 a paid fire chief as provided in Section 29-102 of this title. No
23 fire department of a participating municipality shall employ a
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1 volunteer firefighter from another fire department to perform
2 services relating to firefighting for any compensation of any kind.

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