

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2171 \_\_\_\_\_  
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**

Adopted: \_\_\_\_\_

Amendment submitted by: Ross Ford

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE  
FOR

HOUSE BILL NO. 2171

By: Ford

FLOOR SUBSTITUTE

An Act relating to public retirement systems; 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 for retirement benefit distribution for certain retired members of the Oklahoma Firefighters Pension and Retirement System; providing for retirement benefit distribution for certain retired members of the Oklahoma Police Pension and Retirement System; providing for retirement benefit distribution for certain retired members of the Uniform Retirement System for Justices and Judges; providing for retirement benefit distribution for certain retired members of the Oklahoma Law Enforcement Retirement System; providing for retirement benefit distribution for certain retired members of the Teachers' Retirement System of Oklahoma; providing for retirement benefit distribution for certain retired members of the Oklahoma Public Employees 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:

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

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

6 1. "Amendment" means any amendment, including a substitute  
7 bill, made to a retirement bill by any committee of the House or  
8 Senate, any conference committee of the House or Senate or by the  
9 House or Senate;

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

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

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

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

- 1 a. which does not affect the cost or funding factors of a  
2 retirement system,
- 3 b. which affects such factors only in a manner which does  
4 not:
- 5 (1) grant a benefit increase under the retirement  
6 system affected by the bill,
- 7 (2) create an actuarial accrued liability for or  
8 increase the actuarial accrued liability of the  
9 retirement system affected by the bill, or
- 10 (3) increase the normal cost of the retirement system  
11 affected by the bill,
- 12 c. which authorizes the purchase by an active member of  
13 the retirement system, at the actuarial cost for the  
14 purchase as computed pursuant to the statute in effect  
15 on the effective date of the measure allowing such  
16 purchase, of years of service for purposes of reaching  
17 a normal retirement date in the applicable retirement  
18 system, but which cannot be used in order to compute  
19 the number of years of service for purposes of  
20 computing the retirement benefit for the member,
- 21 d. which provides for the computation of a service-  
22 connected disability retirement benefit for members of  
23 the Oklahoma Law Enforcement Retirement System  
24 pursuant to Section 2-305 of Title 47 of the Oklahoma

- 1 Statutes if the members were unable to complete twenty  
2 (20) years of service as a result of the disability,  
3 e. which requires membership in the defined benefit plan  
4 authorized by Section 901 et seq. of Title 74 of the  
5 Oklahoma Statutes for persons whose first elected or  
6 appointed service occurs on or after November 1, 2018,  
7 if such persons had any prior service in the Oklahoma  
8 Public Employees Retirement System prior to November  
9 1, 2015,
- 10 f. which provides for a one-time increase in retirement  
11 benefits if the increase in retirement benefits is not  
12 a permanent increase in the gross annual retirement  
13 benefit payable to a member or beneficiary, occurs  
14 only once pursuant to a single statutory authorization  
15 and does not exceed:
- 16 (1) the lesser of two percent (2%) of the gross  
17 annual retirement benefit of the member or One  
18 Thousand Dollars (\$1,000.00) and requires that  
19 the benefit may only be provided if the funded  
20 ratio of the affected retirement system would not  
21 be less than sixty percent (60%) but not greater  
22 than eighty percent (80%) after the benefit  
23 increase is paid,  
24

- 1 (2) the lesser of two percent (2%) of the gross  
2 annual retirement benefit of the member or One  
3 Thousand Two Hundred Dollars (\$1,200.00) and  
4 requires that the benefit may only be provided if  
5 the funded ratio of the affected retirement  
6 system would be greater than eighty percent (80%)  
7 but not greater than one hundred percent (100%)  
8 after the benefit increase is paid,
- 9 (3) the lesser of two percent (2%) of the gross  
10 annual retirement benefit of the member or One  
11 Thousand Four Hundred Dollars (\$1,400.00) and  
12 requires that the benefit may only be provided if  
13 the funded ratio of the affected retirement  
14 system would be greater than one hundred percent  
15 (100%) after the benefit increase is paid, or
- 16 (4) the greater of two percent (2%) of the gross  
17 annual retirement benefit of the volunteer  
18 firefighter or One Hundred Dollars (\$100.00) for  
19 persons who retired from the Oklahoma  
20 Firefighters Pension and Retirement System as  
21 volunteer firefighters and who did not retire  
22 from the Oklahoma Firefighters Pension and  
23 Retirement System as a paid firefighter.  
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1 As used in this subparagraph, "funded ratio" means the  
 2 figure derived by dividing the actuarial value of  
 3 assets of the applicable retirement system by the  
 4 actuarial accrued liability of the applicable  
 5 retirement system,

6 g. which modifies the disability pension standard for  
 7 police officers who are members of the Oklahoma Police  
 8 Pension and Retirement System as provided by Section ~~3~~  
 9 50-115 of ~~this act~~ Title 11 of the Oklahoma Statutes,

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

12 (1) Section 49-143.7 of Title 11 of the Oklahoma  
 13 Statutes,

14 (2) Section 50-136.9 of Title 11 of the Oklahoma  
 15 Statutes,

16 (3) Section 1104K of Title 20 of the Oklahoma  
 17 Statutes,

18 (4) Section 2-305.12 of Title 47 of the Oklahoma  
 19 Statutes,

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

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

- 1           i.    which modifies the computation of the line-of-duty  
2                disability benefit pursuant to the provisions of this  
3                act, or  
4           j.    which provides a retirement benefit distribution  
5                pursuant to the provisions of this act.

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

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

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



1 8. "Retirement bill having a fiscal impact" means any  
2 retirement bill creating or establishing a retirement system and any  
3 other retirement bill other than a nonfiscal retirement bill; and

4 9. "Retirement system" means the Teachers' Retirement System of  
5 Oklahoma, the Oklahoma Public Employees Retirement System, the  
6 Uniform Retirement System for Justices and Judges, the Oklahoma  
7 Firefighters Pension and Retirement System, the Oklahoma Police  
8 Pension and Retirement System, the Oklahoma Law Enforcement  
9 Retirement System, or a retirement system established after January  
10 1, 2006.

11 SECTION 2. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 49-143.8 of Title 11, unless  
13 there is created a duplication in numbering, reads as follows:

14 The board of trustees of the Oklahoma Firefighters Pension and  
15 Retirement System shall provide a one-time retirement benefit  
16 distribution subject to the following conditions:

17 1. The retirement benefit increase may only be provided to a  
18 member of the System who has been retired for two (2) or more years  
19 as of the effective date of the benefit increase;

20 2. The retirement benefit increase for members receiving a  
21 benefit pursuant to Section 49-106 of Title 11 of the Oklahoma  
22 Statutes shall be One Thousand Five Hundred Dollars (\$1,500.00) or  
23 greater but shall not exceed Three Thousand Two Hundred Dollars  
24 (\$3,200.00). Provided, however, that retired members receiving a

1 benefit pursuant to Section 49-106 of Title 11 of the Oklahoma  
2 Statutes who are seventy-five (75) years of age or older shall  
3 receive Five Hundred Dollars (\$500.00), which shall not be included  
4 in the benefit amount limitation, in addition to the retirement  
5 benefit increase to be calculated pursuant to paragraph 4 of this  
6 section. The retirement benefit increase for members receiving a  
7 benefit pursuant to Section 49-101 of Title 11 of the Oklahoma  
8 Statutes shall be One Hundred Fifty Dollars (\$150.00);

9 3. The retirement benefit increase shall not be a modification  
10 of the final average compensation used in order to compute the  
11 retirement benefit of the member; and

12 4. The retirement benefit increase may only be computed by  
13 using the then-applicable gross annual retirement benefit for the  
14 member divided by the whole number twelve (12). The resulting  
15 amount may be paid to the retired member in addition to the  
16 retirement benefits otherwise payable to the member.

17 SECTION 3. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 50-136.10 of Title 11, unless  
19 there is created a duplication in numbering, reads as follows:

20 The board of trustees of the Oklahoma Police Pension and  
21 Retirement System shall provide a one-time retirement benefit  
22 distribution subject to the following conditions:  
23  
24

1        1. The retirement benefit increase may only be provided to a  
2 member of the System who has been retired for two (2) or more years  
3 as of the effective date of the benefit increase;

4        2. The retirement benefit increase shall be One Thousand Five  
5 Hundred Dollars (\$1,500.00) or greater but shall not exceed Three  
6 Thousand Two Hundred Dollars (\$3,200.00). Provided, however, that  
7 retired members who are seventy-five (75) years of age or older  
8 shall receive Five Hundred Dollars (\$500.00), which shall not be  
9 included in the benefit amount limitation, in addition to the  
10 retirement benefit increase to be calculated pursuant to paragraph 4  
11 of this section;

12       3. The retirement benefit increase shall not be a modification  
13 of the final average compensation used in order to compute the  
14 retirement benefit of the member; and

15       4. The retirement benefit increase may only be computed by  
16 using the then-applicable gross annual retirement benefit for the  
17 member divided by the whole number twelve (12). The resulting  
18 amount may be paid to the retired member in addition to the  
19 retirement benefits otherwise payable to the member.

20       SECTION 4.       NEW LAW       A new section of law to be codified  
21 in the Oklahoma Statutes as Section 1104L of Title 20, unless there  
22 is created a duplication in numbering, reads as follows:  
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1 The board of trustees of the Uniform Retirement System for  
2 Justices and Judges shall provide a one-time retirement benefit  
3 distribution subject to the following conditions:

4 1. The retirement benefit increase may only be provided to a  
5 member of the System who has been retired for two (2) or more years  
6 as of the effective date of the benefit increase;

7 2. The retirement benefit increase shall be One Thousand Five  
8 Hundred Dollars (\$1,500.00) or greater but shall not exceed Three  
9 Thousand Two Hundred Dollars (\$3,200.00). Provided, however, that  
10 retired members who are seventy-five (75) years of age or older  
11 shall receive Five Hundred Dollars (\$500.00), which shall not be  
12 included in the benefit amount limitation, in addition to the  
13 retirement benefit increase to be calculated pursuant to paragraph 4  
14 of this section;

15 3. The retirement benefit increase shall not be a modification  
16 of the final average compensation used in order to compute the  
17 retirement benefit of the member; and

18 4. The retirement benefit increase may only be computed by  
19 using the then-applicable gross annual retirement benefit for the  
20 member divided by the whole number twelve (12). The resulting  
21 amount may be paid to the retired member in addition to the  
22 retirement benefits otherwise payable to the member.

1           SECTION 5.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 2-305.13 of Title 47, unless  
3 there is created a duplication in numbering, reads as follows:

4           The board of trustees of the Oklahoma Law Enforcement Retirement  
5 System shall provide a one-time retirement benefit distribution  
6 subject to the following conditions:

7           1. The retirement benefit increase may only be provided to a  
8 member of the System who has been retired for two (2) or more years  
9 as of the effective date of the benefit increase;

10          2. The retirement benefit increase shall be One Thousand Five  
11 Hundred Dollars (\$1,500.00) or greater but shall not exceed Three  
12 Thousand Two Hundred Dollars (\$3,200.00). Provided, however, that  
13 retired members who are seventy-five (75) years of age or older  
14 shall receive Five Hundred Dollars (\$500.00), which shall not be  
15 included in the benefit amount limitation, in addition to the  
16 retirement benefit increase to be calculated pursuant to paragraph 4  
17 of this section;

18          3. The retirement benefit increase shall not be a modification  
19 of the final average compensation used in order to compute the  
20 retirement benefit of the member; and

21          4. The retirement benefit increase may only be computed by  
22 using the then-applicable gross annual retirement benefit for the  
23 member divided by the whole number twelve (12). The resulting  
24

1 amount may be paid to the retired member in addition to the  
2 retirement benefits otherwise payable to the member.

3 SECTION 6. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 17-116.23 of Title 70, unless  
5 there is created a duplication in numbering, reads as follows:

6 The board of trustees of the Teachers' Retirement System of  
7 Oklahoma shall provide a one-time retirement benefit distribution  
8 subject to the following conditions:

9 1. The retirement benefit increase may only be provided to a  
10 member of the System who has been retired for two (2) or more years  
11 as of the effective date of the benefit increase;

12 2. The retirement benefit increase shall be One Thousand Five  
13 Hundred Dollars (\$1,500.00) or greater but shall not exceed Three  
14 Thousand Two Hundred Dollars (\$3,200.00). Provided, however, that  
15 retired members who are seventy-five (75) years of age or older  
16 shall receive Five Hundred Dollars (\$500.00), which shall not be  
17 included in the benefit amount limitation, in addition to the  
18 retirement benefit increase to be calculated pursuant to paragraph 4  
19 of this section;

20 3. The retirement benefit increase shall not be a modification  
21 of the final average compensation used in order to compute the  
22 retirement benefit of the member; and

23 4. The retirement benefit increase may only be computed by  
24 using the then-applicable gross annual retirement benefit for the

1 member divided by the whole number twelve (12). The resulting  
2 amount may be paid to the retired member in addition to the  
3 retirement benefits otherwise payable to the member.

4 SECTION 7. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 930.12 of Title 74, unless there  
6 is created a duplication in numbering, reads as follows:

7 The board of trustees of the Oklahoma Public Employees  
8 Retirement System shall provide a one-time retirement benefit  
9 distribution subject to the following conditions:

10 1. The retirement benefit increase may only be provided to a  
11 member of the System who has been retired for two (2) or more years  
12 as of the effective date of the benefit increase;

13 2. The retirement benefit increase shall be One Thousand Five  
14 Hundred Dollars (\$1,500.00) or greater but shall not exceed Three  
15 Thousand Two Hundred Dollars (\$3,200.00). Provided, however, that  
16 retired members who are seventy-five (75) years of age or older  
17 shall receive Five Hundred Dollars (\$500.00), which shall not be  
18 included in the benefit amount limitation, in addition to the  
19 retirement benefit increase to be calculated pursuant to paragraph 4  
20 of this section;

21 3. The retirement benefit increase shall not be a modification  
22 of the final average compensation used in order to compute the  
23 retirement benefit of the member; and  
24

1       4. The retirement benefit increase may only be computed by  
2 using the then-applicable gross annual retirement benefit for the  
3 member divided by the whole number twelve (12). The resulting  
4 amount may be paid to the retired member in addition to the  
5 retirement benefits otherwise payable to the member.

6       SECTION 8. If the Emergency Clause is not approved pursuant to  
7 the requirements of the Oklahoma Constitution as part of this  
8 measure, the effective date of Section 1 of this act shall be  
9 October 1, 2023.

10       SECTION 9. If the Emergency Clause is not approved pursuant to  
11 the requirements of the Oklahoma Constitution as part of this  
12 measure, the effective date of Sections 2 through 7 of this act  
13 shall be November 1, 2023.

14       SECTION 10. Except as otherwise provided by Section 8 of this  
15 act, Section 1 of this act shall become effective immediately upon  
16 signature by the Governor or as otherwise provided by Section 58 of  
17 Article V of the Oklahoma Constitution.

18       SECTION 11. Except as otherwise provided by Section 9 of this  
19 act, Sections 2 through 7 of this act shall become effective July 1,  
20 2023.

21       SECTION 12. It being immediately necessary for the preservation  
22 of the public peace, health or safety, an emergency is hereby  
23  
24



1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 59-1-8002 CMA 03/10/23

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