

**HOUSE OF REPRESENTATIVES - FLOOR VERSION**

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1027

By: Kelley of the House

and

**Alvord** of the Senate

AS INTRODUCED

An Act relating to retirement; amending 47 O.S. 2021, Sections 2-300, as last amended by Section 1, Chapter 361, O.S.L. 2024 (47 O.S. Supp. 2024, Section 2-300), 2-304, and 2-307.2, which relate to the Oklahoma Law Enforcement Retirement System; modifying term; updating references; updating purchase price calculation for service credit related to certain leaves of absence; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 2-300, as last amended by Section 1, Chapter 361, O.S.L. 2024 (47 O.S. Supp. 2024, Section 2-300), is amended to read as follows:

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

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

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

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

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

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

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

8 7. a. "Member" means:

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

16 (2) law enforcement officers and criminalists of the  
17 Oklahoma State Bureau of Investigation,

18 (3) law enforcement officers of the Oklahoma State  
19 Bureau of Narcotics and Dangerous Drugs Control  
20 designated to perform duties in the investigation  
21 and prevention of crime and the enforcement of  
22 the criminal laws of this state,

23 (4) law enforcement officers of the Alcoholic  
24 Beverage Laws Enforcement Commission designated

1 to perform duties in the investigation and  
2 prevention of crime and the enforcement of the  
3 criminal laws of this state,

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

19 (6) park rangers of the Oklahoma Tourism and  
20 Recreation Department and any park manager or  
21 park supervisor of the Oklahoma Tourism and  
22 Recreation Department, who was employed in such a  
23 position prior to July 1, 1985, and who elects on  
24

1 or before September 1, 1996, to participate in  
2 the System,

3 (7) inspectors of the State Board of Pharmacy, ~~and~~

4 (8) active commissioned or CLEET-certified agents  
5 hired by the Office of the Attorney General or  
6 the Military Department of the State of Oklahoma  
7 on or after July 1, 2024,

8 (9) police officers who are CLEET-certified and  
9 employed by the University of Oklahoma or  
10 Oklahoma State University and who participate in  
11 the System, pursuant to Section 2-314 of this  
12 title, and

13 (10) lake patrolmen or dispatchers of the Grand River  
14 Dam Authority who participate in the System,  
15 pursuant to Section 2-315 of this title.

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

1 governmental agency, or any court of competent  
2 jurisdiction.

3 c. All persons offered a position described in  
4 subparagraph a of this paragraph shall participate in  
5 the System only upon meeting the requisite post-offer-  
6 pre-employment examination standards which shall be  
7 subject to the following requirements:

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

14 (2) the physical-medical examination shall pertain to  
15 age, sight, hearing, agility and other conditions  
16 the requirements of which shall be established by  
17 the Board,

18 (3) the person shall be required to meet the  
19 conditions of this subsection prior to the  
20 beginning of actual employment but after an offer  
21 of employment has been tendered by a  
22 participating employer,

23 (4) the Board shall have authority to deny or revoke  
24 membership of any person submitting false

1 information in such person's membership  
2 application, and

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

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

- 11 a. completes twenty (20) years of vesting service, or  
12 b. attains sixty-two (62) years of age with ten (10)  
13 years of vesting service, or  
14 c. attains sixty-two (62) years of age, if:

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

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

21 With respect to distributions under the System made for calendar  
22 years beginning on or after January 1, 2005, the System shall apply  
23 the minimum distribution incidental benefit requirements, incidental  
24 benefit requirements, and minimum distribution requirements of

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

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

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

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

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

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

23       16. "Catastrophic nature" means consequences of an injury that  
24 permanently prevent an individual from performing any gainful work;

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

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

14 SECTION 2. AMENDATORY 47 O.S. 2021, Section 2-304, is  
 15 amended to read as follows:

16 Section 2-304. A. ~~The Department of Public Safety, the~~  
 17 ~~Oklahoma State Bureau of Investigation, the Oklahoma State Bureau of~~  
 18 ~~Narcotics and Dangerous Drugs Control, the Alcoholic Beverage~~  
 19 ~~Control Board, the Oklahoma Tourism and Recreation Department and~~  
 20 ~~the State Board of Pharmacy shall make contributions to the fund as~~  
 21 ~~follows:~~

22 ~~The Department of Public Safety, Oklahoma State Bureau of~~  
 23 ~~Investigation, Oklahoma State Bureau of Narcotics and Dangerous~~  
 24 ~~Drugs Control, the Alcoholic Beverage Control Board, the Oklahoma~~



1 ~~Tourism and Recreation Department and the State Board of Pharmacy~~  
2 Participating employers shall contribute to the fund an amount equal  
3 to eleven percent (11%) of the actual paid base salary of each  
4 member.

5 B. Each member of the System shall make contributions to the  
6 fund in an amount equal to eight percent (8%) of the actual paid  
7 base salary of the member.

8 Member contributions shall be deducted by each participating  
9 employer for such benefits as the Board is by law authorized to  
10 administer and shall be remitted monthly, or as the Board may  
11 otherwise provide, for deposit in the fund.

12 C. Each employer shall pick up under the provisions of Section  
13 414(h) (2) of the Internal Revenue Code of 1986 and pay the  
14 contribution which the member is required by law to make to the  
15 System for all compensation earned after December 31, 1989.  
16 Although the contributions so picked up are designated as member  
17 contributions, such contributions shall be treated as contributions  
18 being paid by the employer in lieu of contributions by the member in  
19 determining tax treatment under the Internal Revenue Code of 1986  
20 and such picked up contributions shall not be includable in the  
21 gross income of the member until such amounts are distributed or  
22 made available to the member or the beneficiary of the member. The  
23 member, by the terms of this System, shall not have any option to  
24

1 choose to receive the contributions so picked up directly and the  
2 picked up contributions must be paid by the employer to the System.

3 Member contributions which are picked up shall be treated in the  
4 same manner and to the same extent as member contributions made  
5 prior to the date on which member contributions were picked up by  
6 the participating employer. Member contributions so picked up shall  
7 be included in gross salary for purposes of determining benefits and  
8 contributions under the System.

9 The employer shall pay the member contributions from the same  
10 source of funds used in paying salary to the member, by effecting an  
11 equal cash reduction in gross salary of the member.

12 SECTION 3. AMENDATORY 47 O.S. 2021, Section 2-307.2, is  
13 amended to read as follows:

14 Section 2-307.2. A. The total service credit of a member who  
15 retires, elects a Deferred Option Plan or terminates employment and  
16 elects a vested benefit shall include not to exceed one hundred  
17 thirty (130) days of unused sick leave accumulated while a member of  
18 the System. Effective July 1, 2008, a member who retires, elects a  
19 Deferred Option Plan or terminates employment and elects a vested  
20 benefit shall include not to exceed two hundred forty (240) days of  
21 unused sick leave accumulated while a member of the System. Such  
22 credit shall be added in terms of whole months. Twenty (20) days of  
23 unused sick leave shall equal one (1) month for purposes of service  
24 credit. If unused sick leave entitles a member to an additional

1 year or fraction thereof of service credit, the member's employer  
2 shall reimburse the System for the cost of funding the additional  
3 reserve by paying the amount determined by the Board pursuant to  
4 Section 25 of this act. Each employer shall provide the System with  
5 adequate and timely information necessary to determine additional  
6 benefits and its cost under this section. This section shall apply  
7 to members retiring or vesting on or after July 1, 1985, and shall  
8 not be retroactive. The amount of accrued sick leave available for  
9 determination of a member's monthly benefit for purposes of the  
10 deferred option election shall be limited to the accrued sick leave  
11 available as of the effective date of the deferred option election,  
12 but not to exceed two hundred forty (240) days. The member's  
13 monthly benefit determined as of the effective date of the deferred  
14 option election shall not be adjusted for additional accrued sick  
15 leave earned by the member after the deferred option election.

16 B. Whenever any member is unable to perform the member's duties  
17 because of sickness or temporary disability caused or sustained  
18 while in the discharge of the member's duty as a member, is  
19 receiving a temporary total disability benefit under Section 1 et  
20 seq. of Title 85A of the Oklahoma Statutes, and does not purchase  
21 service credit as described below, such member shall only receive  
22 prorated service credit based on the contributions made by the  
23 member and the member's employer while the member is receiving a  
24 temporary total disability benefit under Section 1 et seq. of Title

1 85A of the Oklahoma Statutes. Whenever any member is unable to  
2 perform the member's duties because of sickness or temporary  
3 disability caused or sustained while in the discharge of the  
4 member's duty as a member and is receiving a temporary disability  
5 benefit under Section 1 et seq. of Title 85A of the Oklahoma  
6 Statutes, such member shall have the option to purchase service  
7 credit for the time related to such leave of absence for such  
8 sickness or temporary disability.

9 1. The payment for such purchase must be completed no later  
10 than three (3) years from the date the member commenced receipt of a  
11 temporary total disability benefit.

12 2. The purchase price shall be:

13 a. the actual paid base salary that the member was  
14 entitled to immediately prior to the member's sickness  
15 or temporary disability minus any vacation or sick  
16 leave payments received by the member during such  
17 sickness or temporary disability, multiplied by,

18 b. the following ~~percent~~, as applicable:

19 (1) ~~eighteen percent (18%)~~ the combined employer and  
20 member contribution percentages, pursuant to  
21 Section 2-304 of this title, for members who are  
22 suspended without pay, or

23 (2) ~~eight percent (8%)~~ the member contribution  
24 percentage, pursuant to Section 2-304 of this

1                    title, for members who are not suspended without  
2                    pay.

3            If such member has not been suspended without pay, the employer  
4 shall contribute, within three (3) months of the completion of the  
5 member's purchase of service credit, ~~ten percent (10%)~~ of the  
6 employer contribution percentage, pursuant to Section 2-304 of this  
7 title, times the actual paid base salary that the member was  
8 entitled to immediately prior to the member's sickness or temporary  
9 disability minus any vacation or sick leave payments received by the  
10 member during such sickness or temporary disability.

11            3. The member may purchase such service credit through:

- 12                    a. a cash lump-sum payment,
- 13                    b. a trustee-to-trustee transfer of non-Roth funds from a  
14                    Code Section 403(b) annuity or custodial account, an  
15                    eligible deferred compensation plan described in Code  
16                    Section 457(b) which is maintained by an eligible  
17                    employer described in Code Section 457(e)(1)(A),  
18                    and/or a Code Section 401(a) qualified plan,
- 19                    c. a direct rollover of tax-deferred funds from a Code  
20                    Section 403(b) annuity or custodial account, an  
21                    eligible deferred compensation plan described in Code  
22                    Section 457(b) which is maintained by an eligible  
23                    employer described in Code Section 457(e)(1)(A), a  
24                    Code Section 401(a) qualified plan, and/or a Code

1 Section 408(a) or 408(b) traditional or conduit  
2 Individual Retirement Account or Annuity (IRA). Roth  
3 accounts, Coverdell Education Savings Accounts and  
4 after-tax contributions shall not be used to purchase  
5 such service credit, or

6 d. any combination of the above methods of payment.

7 SECTION 4. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

11  
12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
13 OVERSIGHT, dated 03/04/2025 - DO PASS, As Coauthored.  
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