

1 ENGROSSED HOUSE
2 BILL NO. 1729

By: Moore of the House

3 and

4 Weaver of the Senate
5
6

7 An Act relating to the Oklahoma Public Employees
8 Retirement System; authorizing postretirement
9 employment for certain retirees; providing
10 limitations; providing for codification; and
11 providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 914.1 of Title 74, unless there
15 is created a duplication in numbering, reads as follows:

16 A retired district attorney or assistant district attorney may
17 enter into postretirement employment with a district attorney's
18 office or the Oklahoma Indigent Defense System and receive monthly
19 retirement benefits subject to the following limitations:

20 1. A retired district attorney or assistant district attorney
21 is not eligible to be employed within a district attorney's office
22 or the Oklahoma Indigent Defense System, in any capacity, for sixty
23 (60) calendar days between the retiree's last day of preretirement
24 employment and any postretirement employment. For purposes of this

1 section, the term "last day of preretirement employment" shall mean
2 the last day the employee is required to be physically present on
3 the job to complete the terms of the employment contract or
4 agreement. An employee on paid leave is still considered to be
5 employed for purposes of this section. Employment under any
6 conditions during this time, volunteer services for the purpose of
7 obtaining a paid position at a later date, or payment at a later
8 time for services performed during this time period shall cause the
9 forfeiture of all retirement benefits received during the period;
10 and

11 2. Unless otherwise provided in this section, earnings from
12 employment undertaken pursuant to this section may not exceed one-
13 half (1/2) of the member's final average salary used in computing
14 retirement benefits, or the earnings limitation for employees
15 allowed by the Social Security Administration, whichever is less.
16 For retired members under the age of sixty-two (62) years, the limit
17 on allowed earnings from a district attorney's office or the
18 Oklahoma Indigent Defense System for employment for the performance
19 of duties ordinarily performed by classified or nonclassified
20 personnel shall be the lesser of Twenty-five Thousand Dollars
21 (\$25,000.00) or one-half (1/2) of the member's final average salary
22 used in computing retirement benefits unless the earnings limitation
23 allowed by the Social Security Administration would be greater than
24 Twenty-five Thousand Dollars (\$25,000.00). For retired members

1 sixty-two (62) years of age or older, the limit on allowed earnings
2 from district attorneys' offices or the Oklahoma Indigent Defense
3 System for the performance of duties ordinarily performed by
4 classified or nonclassified personnel shall be the lesser of Thirty
5 Thousand Dollars (\$30,000.00) or one-half (1/2) of the member's
6 final average salary used in computing retirement benefits. For
7 purposes of this paragraph, the following shall apply:

- 8 a. the earnings limitation for employees allowed by the
9 Social Security Administration to workers between the
10 age of sixty-two (62) years and sixty-five (65) years
11 shall apply to retired members below the age of sixty-
12 two (62) years,
- 13 b. the limit on allowed earnings from district attorneys'
14 offices or the Oklahoma Indigent Defense System shall
15 be automatically adjusted effective the first day of
16 January of each year to reflect the current earnings
17 limitation for employees as determined from time to
18 time by the Social Security Administration,
- 19 c. the earnings limit for the calendar year in which a
20 member retires shall be one-twelfth (1/12) of the
21 annual limit multiplied by the number of months the
22 member is eligible to work and receive payments from
23 district attorneys' offices or the Oklahoma Indigent
24 Defense System,

- d. earnings in excess of the maximum limit on allowed earnings from district attorneys' offices or the Oklahoma Indigent Defense System shall result in a loss of future retirement benefits for the year the postretirement employment was performed of One Dollar (\$1.00) for each One Dollar (\$1.00) earned over the maximum allowed earnings amount, and
- e. for those members age seventy (70) years and over, the earnings in excess of the maximum limit allowed earnings from district attorneys' offices or the Oklahoma Indigent Defense System shall be one-half (1/2) the member's final average salary used in computing retirement benefits.

SECTION 2. This act shall become effective November 1, 2025.

Passed the House of Representatives the 27th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the _____ day of _____, 2025.

Presiding Officer of the Senate