

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1245

By: Strom

AS INTRODUCED

An Act relating to retirement; amending 74 O.S. 2021, Sections 902, as last amended by Section 1, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024, Section 902), 915, as amended by Section 2, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024, Section 915), 916.3, as amended by Section 3, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024, Section 916.3), 919.1, as amended by Section 4, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024, Section 919.1), and 935.2, which relate to the Oklahoma Public Employees Retirement System; defining term; modifying term; providing retirement benefit computation for certain members; modifying who shall receive monthly pension; updating references; modifying employee contributions for certain employees; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 902, as last amended by Section 1, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024, Section 902), is amended to read as follows:

Section 902. As used in Section 901 et seq. of this title:

(1) "System" means the Oklahoma Public Employees Retirement System as established by Section 901 et seq. of this title and as it may hereafter be amended;

1 (2) "Accumulated contributions" means the sum of all
2 contributions by a member to the System which shall be credited to
3 the member's account;

4 (3) "Act" means Sections 901 to 932, inclusive, of this title;

5 (4) "Actuarial equivalent" means a deferred income benefit of
6 equal value to the accumulated deposits or benefits when computed
7 upon the basis of the actuarial tables in use by the System;

8 (5) "Actuarial tables" means the actuarial tables approved and
9 in use by the Board at any given time;

10 (6) "Actuary" means the actuary or firm of actuaries employed
11 by the Board at any given time;

12 (7) "Beneficiary" means any person named by a member to receive
13 any benefits as provided for by Section 901 et seq. of this title.
14 If there is no beneficiary living at time of member employee's
15 death, the member's estate shall be the beneficiary;

16 (8) "Board" means the Oklahoma Public Employees Retirement
17 System Board of Trustees;

18 (9) "CLEET-certified law enforcement agent employed by the
19 Department of Human Services Office of Inspector General" means
20 those persons hired by the Department of Human Services Office of
21 Inspector General on or after June 1, 1993, who are certified by the
22 Council on Law Enforcement Education and Training or an equivalent
23 certifying entity for law enforcement personnel training and who
24

1 perform law enforcement services as part of their regularly assigned
2 duties and responsibilities on a full-time basis;

3 (10) "Compensation" means all salary and wages, as defined by
4 the Board of Trustees, including amounts deferred under deferred
5 compensation agreements entered into between a member and a
6 participating employer, but exclusive of payment for overtime,
7 payable to a member of the System for personal services performed
8 for a participating employer but shall not include compensation or
9 reimbursement for traveling, or moving expenses, or any compensation
10 in excess of the maximum compensation level, provided:

11 (a) For compensation for service prior to January 1, 1988,
12 the maximum compensation level shall be Twenty-five
13 Thousand Dollars (\$25,000.00) per annum.

14 For compensation for service on or after January 1,
15 1988, through June 30, 1994, the maximum compensation
16 level shall be Forty Thousand Dollars (\$40,000.00) per
17 annum.

18 For compensation for service on or after July 1, 1994,
19 through June 30, 1995, the maximum compensation level
20 shall be Fifty Thousand Dollars (\$50,000.00) per
21 annum; for compensation for service on or after July
22 1, 1995, through June 30, 1996, the maximum
23 compensation level shall be Sixty Thousand Dollars
24 (\$60,000.00) per annum; for compensation for service

1 on or after July 1, 1996, through June 30, 1997, the
2 maximum compensation level shall be Seventy Thousand
3 Dollars (\$70,000.00) per annum; and for compensation
4 for service on or after July 1, 1997, through June 30,
5 1998, the maximum compensation level shall be Eighty
6 Thousand Dollars (\$80,000.00) per annum. For
7 compensation for services on or after July 1, 1998,
8 there shall be no maximum compensation level for
9 retirement purposes.

10 (b) Compensation for retirement purposes shall include any
11 amount of elective salary reduction under Section 457
12 of the Internal Revenue Code of 1986 and any amount of
13 nonelective salary reduction under Section 414(h) of
14 the Internal Revenue Code of 1986.

15 (c) Notwithstanding any provision to the contrary, the
16 compensation taken into account for any employee in
17 determining the contribution or benefit accruals for
18 any plan year is limited to the annual compensation
19 limit under Section 401(a)(17) of the federal Internal
20 Revenue Code.

21 (d) Current appointed members of the Oklahoma Tax
22 Commission whose salary is constitutionally limited
23 and is less than the highest salary allowed by law for
24 his or her position shall be allowed, within ninety

1 (90) days from March 21, 2001, to make an election to
2 use the highest salary allowed by law for the position
3 to which the member was appointed for the purposes of
4 making contributions and determination of retirement
5 benefits. Such election shall be irrevocable and be
6 in writing. Reappointment to the same office shall
7 not permit a new election. Members appointed to the
8 Oklahoma Tax Commission after the March 21, 2001,
9 shall make such election, pursuant to this
10 subparagraph, within ninety (90) days of taking
11 office;

12 ~~(10)~~ (11) "Credited service" means the sum of participating
13 service, prior service and elected service;

14 ~~(11)~~ (12) "Dependent" means a parent, child, or spouse of a
15 member who is dependent upon the member for at least one-half (1/2)
16 of the member's support;

17 ~~(12)~~ (13) "Effective date" means the date upon which the System
18 becomes effective by operation of law;

19 ~~(13)~~ (14) "Eligible employer" means the state and any county,
20 county hospital, city or town, conservation districts, circuit
21 engineering districts and any public or private trust in which a
22 county, city or town participates and is the primary beneficiary, is
23 to be an eligible employer for the purpose of Section 901 et seq. of
24 this title only, whose employees are covered by Social Security and

1 are not covered by or eligible for another retirement plan
2 authorized under the laws of this state which is in operation on the
3 initial entry date. Emergency medical service districts may join
4 the System upon proper application to the Board. Provided,
5 affiliation by a county hospital shall be in the form of a
6 resolution adopted by the board of control.

7 (a) If a class or several classes of employees of any
8 above-defined employers are covered by Social Security
9 and are not covered by or eligible for and will not
10 become eligible for another retirement plan authorized
11 under the laws of this state, which is in operation on
12 the effective date, such employer shall be deemed an
13 eligible employer, but only with respect to that class
14 or those classes of employees as defined in this
15 section.

16 (b) A class or several classes of employees who are
17 covered by Social Security and are not covered by or
18 eligible for and will not become eligible for another
19 retirement plan authorized under the laws of this
20 state, which is in operation on the effective date,
21 and when the qualifications for employment in such
22 class or classes are set by state law; and when such
23 class or classes of employees are employed by a county
24 or municipal government pursuant to such

1 qualifications; and when the services provided by such
2 employees are of such nature that they qualify for
3 matching by or contributions from state or federal
4 funds administered by an agency of state government
5 which qualifies as a participating employer, then the
6 agency of state government administering the state or
7 federal funds shall be deemed an eligible employer,
8 but only with respect to that class or those classes
9 of employees as defined in this subsection; provided,
10 that the required contributions to the retirement plan
11 may be withheld from the contributions of state or
12 federal funds administered by the state agency and
13 transmitted to the System on the same basis as the
14 employee and employer contributions are transmitted
15 for the direct employees of the state agency. The
16 retirement or eligibility for retirement under the
17 provisions of law providing pensions for service as a
18 volunteer firefighter shall not render any person
19 ineligible for participation in the benefits provided
20 for in Section 901 et seq. of this title. An employee
21 of any public or private trust in which a county, city
22 or town participates and is the primary beneficiary
23 shall be deemed to be an eligible employee for the
24 purpose of Section 901 et seq. of this title only.

- 1 (c) All employees of the George Nigh Rehabilitation
2 Institute who elected to retain membership in the
3 System, pursuant to Section 913.7 of this title, shall
4 continue to be eligible employees for the purposes of
5 Section 901 et seq. of this title. The George Nigh
6 Rehabilitation Institute shall be considered a
7 participating employer only for such employees.
- 8 (d) All employees of CompSource Mutual Insurance Company
9 who retain membership in the Oklahoma Public Employees
10 Retirement System pursuant to Section 913.9 of this
11 title shall continue to be eligible employees for the
12 purposes of the Oklahoma Public Employees Retirement
13 System. CompSource Mutual Insurance Company shall be
14 considered a participating employer only for such
15 employees.
- 16 (e) All employees of a successor organization, as defined
17 by Section 5-60.12 of Title 2 of the Oklahoma
18 Statutes, who retain membership in the Oklahoma Public
19 Employees Retirement System pursuant to Section 5-
20 60.35 of Title 2 of the Oklahoma Statutes shall
21 continue to be eligible employees for the purposes of
22 the Oklahoma Public Employees Retirement System. A
23 successor organization shall be considered a
24 participating employer only for such employees.

1 (f) A participating employer of the Teachers' Retirement
2 System of Oklahoma, who has one or more employees who
3 have made an election pursuant to enabling legislation
4 to retain membership in the System as a result of
5 change in administration, shall be considered a
6 participating employer of the Oklahoma Public
7 Employees Retirement System only for such employees;

8 ~~(14)~~ (15) "Employee" means any officer or employee of a
9 participating employer, whose employment is not seasonal or
10 temporary and whose employment requires at least one thousand
11 (1,000) hours of work per year and whose salary or wage is equal to
12 the hourly rate of the monthly minimum wage for state employees.
13 For those eligible employers outlined in Section 910 of this title,
14 the rate shall be equal to the hourly rate of the monthly minimum
15 wage for that employer. Each employer, whose minimum wage is less
16 than the state's minimum wage, shall inform the System of the
17 minimum wage for that employer. This notification shall be by
18 resolution of the governing body.

19 (a) Any employee of the county extension agents who is not
20 currently participating in the Teachers' Retirement
21 System of Oklahoma shall be a member of this System.

22 (b) Eligibility shall not include any employee who is a
23 contributing member of the United States Civil Service
24 Retirement System.

1 (c) It shall be mandatory for an officer, appointee or
2 employee of the office of district attorney to become
3 a member of this System if he or she is not currently
4 participating in a county retirement system. Provided
5 further, that if an officer, appointee or employee of
6 the office of district attorney is currently
7 participating in such county retirement system, he or
8 she is ineligible for this System as long as he or she
9 is eligible for such county retirement system. Any
10 eligible officer, appointee or employee of the office
11 of district attorney shall be given credit for prior
12 service as defined in this section. The provisions
13 outlined in Section 917 of this title shall apply to
14 those employees who have previously withdrawn their
15 contributions.

16 (d) Eligibility shall also not include any officer or
17 employee of the Oklahoma Employment Security
18 Commission, except for those officers and employees of
19 the Commission electing to transfer to this System
20 pursuant to the provisions of Section 910.1 of this
21 title or any other class of officers or employees
22 specifically exempted by the laws of this state,
23 unless there be a consolidation as provided by Section
24 912 of this title. Employees of the Oklahoma

1 Employment Security Commission who are ineligible for
2 enrollment in the Oklahoma Employment Security
3 Commission Retirement Plan, that was in effect on
4 January 1, 1964, shall become members of this System.

5 (e) Any employee employed by the Legislative Service
6 Bureau, Senate or House of Representatives for the
7 full duration of a regular legislative session shall
8 be eligible for membership in the System regardless of
9 classification as a temporary employee and may
10 participate in the System during the regular
11 legislative session at the option of the employee.
12 For purposes of this subparagraph, the determination
13 of whether an employee is employed for the full
14 duration of a regular legislative session shall be
15 made by the Legislative Service Bureau if such
16 employee is employed by the Legislative Service
17 Bureau, the Senate if such employee is employed by the
18 Senate, or by the House of Representatives if such
19 employee is employed by the House of Representatives.
20 Each regular legislative session during which the
21 legislative employee or an employee of the Legislative
22 Service Bureau participates full time shall be counted
23 as six (6) months of full-time participating service.

1 (i) Except as otherwise provided by this
2 subparagraph, once a temporary session employee
3 makes a choice to participate or not, the choice
4 shall be binding for all future legislative
5 sessions during which the employee is employed.

6 (ii) Notwithstanding the provisions of division (i) of
7 this subparagraph, any employee, who is eligible
8 for membership in the System because of the
9 provisions of this subparagraph and who was
10 employed by the Senate or House of
11 Representatives after January 1, 1989, may file
12 an election, in a manner specified by the Board,
13 to participate as a member of the System prior to
14 September 1, 1989.

15 (iii) Notwithstanding the provisions of division (i) of
16 this subparagraph, a temporary legislative
17 session employee who elected to become a member
18 of the System may withdraw from the System
19 effective the day such employee elected to
20 participate in the System upon written request to
21 the Board. Any such request must be received by
22 the Board prior to October 1, 1990. All employee
23 contributions made by the temporary legislative
24 session employee shall be returned to the

1 employee without interest within four (4) months
2 of receipt of the written request.

- 3 (iv) A member of the System who did not initially
4 elect to participate as a member of the System
5 pursuant to this subparagraph shall be able to
6 acquire service performed as a temporary
7 legislative session employee for periods of
8 service performed prior to the date upon which
9 the person became a member of the System if:
- 10 a. the member files an election with the System
11 not later than December 31, 2000, to
12 purchase the prior service; and
 - 13 b. the member makes payment to the System of
14 the actuarial cost of the service credit
15 pursuant to subsection A of Section 913.5 of
16 this title. The provisions of Section 913.5
17 of this title shall be applicable to the
18 purchase of the service credit, including
19 the provisions for determining service
20 credit in the event of incomplete payment
21 due to cessation of payments, death,
22 termination of employment or retirement, but
23 the payment may extend for a period not to
24 exceed ninety-six (96) months;

1 ~~(15)~~ (16) "Entry date" means the date on which an eligible
2 employer joins the System. The first entry date pursuant to Section
3 901 et seq. of this title shall be January 1, 1964;

4 ~~(16)~~ (17) "Executive Director" means the managing officer of
5 the System employed by the Board under Section 901 et seq. of this
6 title;

7 ~~(17)~~ (18) "Federal Internal Revenue Code" means the federal
8 Internal Revenue Code of 1954 or 1986, as amended and as applicable
9 to a governmental plan as in effect on July 1, 1999;

10 ~~(18)~~ (19) "Final average compensation" means the average annual
11 compensation, including amounts deferred under deferred compensation
12 agreements entered into between a member and a participating
13 employer, up to, but not exceeding the maximum compensation levels
14 as provided in paragraph (9) of this section received during the
15 highest three (3) of the last ten (10) years of participating
16 service immediately preceding retirement or termination of
17 employment and with respect to members whose first participating
18 service occurs on or after July 1, 2013, the compensation received
19 during the highest five (5) of the last ten (10) years of
20 participating service immediately preceding retirement or
21 termination of employment. Provided, no member shall retire with a
22 final average compensation unless the member has made the required
23 contributions on such compensation, as defined by the Board of
24 Trustees;

1 ~~(19)~~ (20) "Fiscal year" means the period commencing July 1 of
2 any year and ending June 30 of the next year. The fiscal year is
3 the plan year for purposes of the federal Internal Revenue Code;
4 however, the calendar year is the limitation year for purposes of
5 Section 415 of the federal Internal Revenue Code;

6 ~~(20)~~ (21) "Fund" means the Oklahoma Public Employees Retirement
7 Fund as created by Section 901 et seq. of this title;

8 ~~(21)~~ (22) "Leave of absence" means a period of absence from
9 employment without pay, authorized and approved by the employer and
10 acknowledged to the Board, and which after the effective date does
11 not exceed two (2) years;

12 ~~(22)~~ (23) "Member" means an eligible employee or elected
13 official who is in the System and is making the required employee or
14 elected official contributions, or any former employee or elected
15 official who shall have made the required contributions to the
16 System and shall have not received a refund or withdrawal;

17 ~~(23)~~ (24) "Military service" means service in the Armed Forces
18 of the United States by an honorably discharged person during the
19 following time periods, as reflected on such person's Defense
20 Department Form 214, not to exceed five (5) years for combined
21 participating and/or prior service, as follows:

22 (a) during the following periods, including the beginning
23 and ending dates, and only for the periods served,
24 from:

- 1 (i) April 6, 1917, to November 11, 1918, commonly
2 referred to as World War I,
- 3 (ii) September 16, 1940, to December 7, 1941, as a
4 member of the 45th Division,
- 5 (iii) December 7, 1941, to December 31, 1946, commonly
6 referred to as World War II,
- 7 (iv) June 27, 1950, to January 31, 1955, commonly
8 referred to as the Korean Conflict or the Korean
9 War,
- 10 (v) February 28, 1961, to May 7, 1975, commonly
11 referred to as the Vietnam era, except that:
12 a. for the period from February 28, 1961, to
13 August 4, 1964, military service shall only
14 include service in the Republic of Vietnam
15 during that period, and
16 b. for purposes of determining eligibility for
17 education and training benefits, such period
18 shall end on December 31, 1976, or
- 19 (vi) August 1, 1990, to December 31, 1991, commonly
20 referred to as the Gulf War, the Persian Gulf
21 War, or Operation Desert Storm, but excluding any
22 person who served on active duty for training
23 only, unless discharged from such active duty for
24 a service-connected disability;

1 (b) during a period of war or combat military operation
2 other than a conflict, war or era listed in
3 subparagraph (a) of this paragraph, beginning on the
4 date of Congressional authorization, Congressional
5 resolution, or Executive Order of the President of the
6 United States, for the use of the Armed Forces of the
7 United States in a war or combat military operation,
8 if such war or combat military operation lasted for a
9 period of ninety (90) days or more, for a person who
10 served, and only for the period served, in the area of
11 responsibility of the war or combat military
12 operation, but excluding a person who served on active
13 duty for training only, unless discharged from such
14 active duty for a service-connected disability, and
15 provided that the burden of proof of military service
16 during this period shall be with the member, who must
17 present appropriate documentation establishing such
18 service.

19 An eligible member under this paragraph shall include only those
20 persons who shall have served during the times or in the areas
21 prescribed in this paragraph, and only if such person provides
22 appropriate documentation in such time and manner as required by the
23 System to establish such military service prescribed in this
24 paragraph, or for service pursuant to subdivision a of division (v)

1 of subparagraph (a) of this paragraph those persons who were awarded
2 service medals, as authorized by the United States Department of
3 Defense as reflected in the veteran's Defense Department Form 214,
4 related to the Vietnam Conflict for service prior to August 5, 1964;

5 ~~(24)~~ (25) "Normal retirement date" means the date on which a
6 member may retire with full retirement benefits as provided in
7 Section 901 et seq. of this title, such date being whichever occurs
8 first:

9 (a) the first day of the month coinciding with or
10 following a member's:

11 (1) sixty-second birthday with respect to members
12 whose first participating service occurs prior to
13 November 1, 2011, or

14 (2) sixty-fifth birthday with respect to members
15 whose first participating service occurs on or
16 after November 1, 2011, or with respect to
17 members whose first participating service occurs
18 on or after November 1, 2011, who reach a minimum
19 age of sixty (60) years and who also reach a
20 normal retirement date pursuant to subparagraph c
21 of this paragraph,

22 (b) for any person who initially became a member prior to
23 July 1, 1992, and who does not reach a normal
24 retirement date pursuant to division (1) of

1 subparagraph (a) of this paragraph, the first day of
2 the month coinciding with or following the date at
3 which the sum of a member's age and number of years of
4 credited service total eighty (80); such a normal
5 retirement date will also apply to any person who
6 became a member of the sending system as defined in
7 Section 901 et seq. of this title, prior to July 1,
8 1992, regardless of whether there were breaks in
9 service after July 1, 1992,

10 (c) for any person who became a member after June 30,
11 1992, but prior to November 1, 2011, and who does not
12 reach a normal retirement date pursuant to division
13 (1) of subparagraph (a) of this paragraph, the first
14 day of the month coinciding with or following the date
15 at which the sum of a member's age and number of years
16 of credited service total ninety (90),

17 (d) in addition to subparagraphs (a), (b) and (c) of this
18 paragraph, the first day of the month coinciding with
19 or following a member's completion of at least twenty
20 (20) years of full-time-equivalent employment as:

21 (i) a correctional or probation and parole officer
22 with the Department of Corrections and at the
23 time of retirement, the member was a correctional
24

1 or probation and parole officer with the
2 Department of Corrections,

3 (ii) a correctional officer, probation and parole
4 officer or fugitive apprehension agent with the
5 Department of Corrections who is in such position
6 on June 30, 2004, or who is hired after June 30,
7 2004, and who receives a promotion or change in
8 job classification after June 30, 2004, to
9 another position in the Department of
10 Corrections, so long as such officer or agent has
11 at least five (5) years of service as a
12 correctional officer, probation and parole
13 officer or fugitive apprehension agent with the
14 Department, has twenty (20) years of full-time-
15 equivalent employment with the Department and was
16 employed by the Department at the time of
17 retirement,

18 (iii) a firefighter with the Military Department of the
19 State of Oklahoma either employed for the first
20 time on or after July 1, 2002, or who was
21 employed prior to July 1, 2002, in such position
22 and who makes the election authorized by division
23 (2) of subparagraph b of paragraph (9) of
24 subsection A of Section 915 of this title and at

1 the time of retirement, the member was a
2 firefighter with the Military Department of the
3 State of Oklahoma, and such member has at least
4 twenty (20) years of credited service upon which
5 the two and one-half percent (2 1/2%) multiplier
6 will be used in calculating the retirement
7 benefit,

8 (iv) a public safety officer employed by the Grand
9 River Dam Authority for the first time on or
10 after July 1, 2016,

11 (v) a deputy sheriff or jailer employed by any county
12 that is a participating employer in the System
13 for the first time as a deputy sheriff or jailer
14 on or after November 1, 2020, ~~or~~

15 (vi) beginning November 1, 2024, a deputy sheriff or
16 jailer employed by any county that is a
17 participating employer in the System for the
18 first time as a deputy sheriff or jailer before
19 November 1, 2020, including those who make the
20 election authorized by division (2) of
21 subparagraph b of paragraph (10) of subsection A
22 of Section 915 of this title, and at the time of
23 retirement, if the member was a deputy sheriff or
24 jailer employed by the participating county, and

1 such member has at least twenty (20) years of
2 credited service upon which the two and one-half
3 percent (2 1/2%) multiplier will be used in
4 calculating the retirement benefit, or

5 (vii) a CLEET-certified law enforcement agent employed
6 by the Department of Human Services Office of
7 Inspector General who is employed for the first
8 time on or after July 1, 2025, or who was
9 employed prior to July 1, 2025, as a CLEET-
10 certified law enforcement agent and makes the
11 election authorized by subparagraph (d) of
12 paragraph (9) of subsection A of Section 915 of
13 this title and, at the time of retirement, the
14 member was a CLEET-certified law enforcement
15 agent with the Department of Human Services
16 Office of Inspector General, and such member has
17 at least twenty (20) years of credited service,
18 upon which the two and one-half percent (2 1/2%)
19 multiplier will be used in calculating the
20 retirement benefit,

21 (e) for those fugitive apprehension agents who retire on
22 or after July 1, 2002, the first day of the month
23 coinciding with or following a member's completion of
24 at least twenty (20) years of full-time-equivalent

1 employment as a fugitive apprehension agent with the
2 Department of Corrections and at the time of
3 retirement, the member was a fugitive apprehension
4 agent with the Department of Corrections, or

5 (f) for any member who was continuously employed by an
6 entity or institution within The Oklahoma State System
7 of Higher Education and whose initial employment with
8 such entity or institution was prior to July 1, 1992,
9 and who without a break in service of more than thirty
10 (30) days became employed by an employer participating
11 in the Oklahoma Public Employees Retirement System,
12 the first day of the month coinciding with or
13 following the date at which the sum of the member's
14 age and number of years of credited service total
15 eighty (80);

16 ~~(25)~~ (26) "Participating employer" means an eligible employer
17 who has agreed to make contributions to the System on behalf of its
18 employees;

19 ~~(26)~~ (27) "Participating service" means the period of
20 employment after the entry date for which credit is granted a
21 member. Provided, on or after the effective date of this act,
22 military service credit purchased under Section 913.8 of this title
23 shall only be considered "participating service" if such service is
24 immediately preceded by a period of employment with a participating

1 employer and followed by a return to service as an employee with the
2 same or another participating employer within ninety (90) days
3 immediately following discharge from such military service;

4 ~~(27)~~ (28) "Prior service" means the period of employment of a
5 member by an eligible employer prior to the member's entry date for
6 which credit is granted a member under Section 901 et seq. of this
7 title. Provided, on or after the effective date of this act, "prior
8 service" shall also include service purchased under Section 913.8 of
9 this title which does not meet the requirements of paragraph 26 of
10 this section;

11 ~~(28)~~ (29) "Retirant" or "retiree" means a member who has
12 retired under the System;

13 ~~(29)~~ (30) "Retirement benefit" means a monthly income with
14 benefits accruing from the first day of the month coinciding with or
15 following retirement and ending on the last day of the month in
16 which death occurs or the actuarial equivalent thereof paid in such
17 manner as specified by the member pursuant to Section 901 et seq. of
18 this title or as otherwise allowed to be paid at the discretion of
19 the Board;

20 ~~(30)~~ (31) "Retirement coordinator" means the individual
21 designated by each participating employer through whom System
22 transactions and communication shall be directed;

23 ~~(31)~~ (32) "Social Security" means the old-age survivors and
24 disability section of the federal Social Security Act;

1 ~~(32)~~ (33) "Total disability" means a physical or mental
2 disability accepted for disability benefits by the federal Social
3 Security System;

4 ~~(33)~~ (34) "Service-connected disability benefits" means
5 military service benefits which are for a service-connected
6 disability rated at twenty percent (20%) or more by the Veterans
7 Administration or the Armed Forces of the United States;

8 ~~(34)~~ (35) "Elected official" means a person elected to a state
9 office in the legislative or executive branch of state government or
10 a person elected to a county office for a definite number of years
11 and shall include an individual who is appointed to fill the
12 unexpired term of an elected state official;

13 ~~(35)~~ (36) "Elected service" means the period of service as an
14 elected official;

15 ~~(36)~~ (37) "Limitation year" means the year used in applying the
16 limitations of Section 415 of the Internal Revenue Code of 1986,
17 which year shall be the calendar year; and

18 ~~(37)~~ (38) "Public safety officers of the Grand River Dam
19 Authority" means those persons hired by the Grand River Dam
20 Authority on or after March 21, 2001, who are certified by the
21 Council on Law Enforcement Education and Training or an equivalent
22 certifying entity for law enforcement personnel training and who
23 perform law enforcement functions as part of their regularly
24 assigned duties and responsibilities on a full-time basis. With

1 respect to any public safety officer hired by the Grand River Dam
2 Authority on or after March 21, 2001, any earned benefits or credits
3 toward retirement benefits from previous participation within the
4 Oklahoma Public Employees Retirement System or the Oklahoma Law
5 Enforcement Retirement System shall remain within that system.

6 SECTION 2. AMENDATORY 74 O.S. 2021, Section 915, as
7 amended by Section 2, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024,
8 Section 915), is amended to read as follows:

9 Section 915. A. (1) Except as otherwise provided in this
10 subsection and as provided for elected officials in Section 913.4 of
11 this title, any member who shall retire on or after the member's
12 normal retirement date shall be entitled to receive an annual
13 retirement benefit equal to two percent (2%) of the member's final
14 average compensation as determined pursuant to paragraph (18) of
15 Section 902 of this title, multiplied by the number of years of
16 credited service that has been credited to the member in accordance
17 with the provisions of Section 913 of this title other than years
18 credited pursuant to paragraph (2) of this subsection.

19 (2) Effective January 1, 2004, except as otherwise provided for
20 elected officials in Section 913.4 of this title and except for
21 those members making contributions pursuant to paragraphs (c), (d),
22 (e) and (f) of subsection (1) of Section 919.1 of this title, any
23 member who shall retire shall be entitled to receive an annual
24 retirement benefit equal to two and one-half percent (2 1/2%) of the

1 member's final average compensation as determined pursuant to
2 paragraph (18) of Section 902 of this title, multiplied by the
3 number of full years of participating service after January 1, 2004,
4 that have been credited to the member in accordance with the
5 provisions of Section 913 of this title and only for those full
6 years of participating service for which contributions have been
7 made pursuant to paragraph (g) of subsection (1) of Section 919.1 of
8 this title. The two and one-half percent (2 1/2%) multiplier shall
9 not apply to purchased service, purchased or granted military
10 service or transferred service. In order to receive the two and
11 one-half percent (2 1/2%) multiplier in computing retirement
12 benefits, an active member shall make an irrevocable written
13 election to pay the contributions pursuant to paragraph (g) of
14 subsection (1) of Section 919.1 of this title. The two and one-half
15 percent (2 1/2%) multiplier pursuant to this paragraph shall not
16 apply to additional years of service credit attributed to sick leave
17 pursuant to paragraph 7 of subsection B of Section 913 of this title
18 and fractional years pursuant to subsection C of Section 913 of this
19 title and shall be attributable only to the participating service
20 credited after the election of the member.

21 (3) The minimum final average compensation for any person who
22 becomes a member of the System on or after July 1, 1995:

23 a. and who had twenty (20) or more years of credited
24 service within the System as of the member's

- 1 retirement date shall be no less than Thirteen
2 Thousand Eight Hundred Dollars (\$13,800.00) per annum,
3 b. and who had at least fifteen (15) but not more than
4 nineteen (19) years of credited service within the
5 System as of the member's retirement date shall be no
6 less than Six Thousand Nine Hundred Dollars
7 (\$6,900.00) per annum,
8 c. and who had less than fifteen (15) years of credited
9 service within the System as of the member's
10 retirement date shall not be eligible for any minimum
11 amount of final average compensation and the member's
12 final average compensation shall be the final average
13 compensation as defined by paragraph (18) of Section
14 902 of this title.

15 (4) Provided, further, any member who has elected a vested
16 benefit pursuant to Section 917 of this title shall be entitled to
17 receive benefits as outlined in this section except the percent
18 factor and the member's maximum compensation level in effect the
19 date the member's employment was terminated with a participating
20 employer shall be applicable.

21 (5) Any member who is a correctional officer or a probation and
22 parole officer employed by the Department of Corrections at the time
23 of retirement and who retires on or before June 30, 2000, shall be
24 entitled to receive an annual retirement benefit equal to two and

1 one-half percent (2 1/2%) of the final average compensation of the
2 member not to exceed Twenty-five Thousand Dollars (\$25,000.00) and
3 two percent (2%) of the final average salary in excess of Twenty-
4 five Thousand Dollars (\$25,000.00) but not exceeding the maximum
5 compensation level as provided in paragraph (9) of Section 902 of
6 this title, multiplied by the number of years of service as a
7 correctional officer or a probation and parole officer; provided,
8 any years accrued prior to July 1, 1990, as a correctional officer
9 or a probation and parole officer by a member who is employed as a
10 correctional officer or a probation and parole officer on July 1,
11 1990, shall be calculated for retirement purposes at two and one-
12 quarter percent (2 1/4%) of the final average compensation of the
13 member not to exceed Twenty-five Thousand Dollars (\$25,000.00) and
14 two percent (2%) of the final average salary in excess of Twenty-
15 five Thousand Dollars (\$25,000.00) but not exceeding the maximum
16 compensation level as provided in paragraph (9) of Section 902 of
17 this title, multiplied by the number of years of such service and
18 any years in excess of twenty (20) years as such an officer or years
19 credited to the member in accordance with the provisions of Section
20 913 of this title shall be calculated for retirement purposes at two
21 percent (2%) of the final average compensation of the member
22 multiplied by the number of years of such service. Any person who
23 contributes to the System as a correctional officer or a probation
24 and parole officer as provided in paragraph (b) or (c) of subsection

1 (1) of Section 919.1 of this title, on or before June 30, 2000, but
2 who does not make such contributions after June 30, 2000, and who
3 does not qualify for normal retirement under subparagraph (c) of
4 paragraph (24) of Section 902 of this title shall have retirement
5 benefits for each year of full-time-equivalent participating service
6 as a correctional or a probation and parole officer after July 1,
7 1990, computed on two and one-half percent (2 1/2%) of the final
8 average compensation based upon those years as a correctional
9 officer or a probation and parole officer. Provided, further, any
10 fugitive apprehension agent shall be entitled to receive benefits as
11 outlined in this act for service as a fugitive apprehension agent
12 prior to July 1, 2002, only upon payment to the System of the
13 employee contributions which would have been paid if such fugitive
14 apprehension agent had been covered by this section prior to the
15 effective date of this act, plus interest of not to exceed ten
16 percent (10%) as determined by the Board. The Department of
17 Corrections may make the employee contribution and interest payment
18 on behalf of such member.

19 (6) Any member who is a correctional officer, a probation and
20 parole officer or a fugitive apprehension agent employed by the
21 Department of Corrections at the time of retirement and who retires
22 on or after July 1, 2002, shall be entitled to receive an annual
23 retirement benefit equal to two and one-half percent (2 1/2%) of the
24 final average compensation of the member, but not exceeding the

1 maximum compensation level as provided in paragraph (18) of Section
2 902 of this title, multiplied by the number of years of service as a
3 correctional officer, a probation and parole officer or a fugitive
4 apprehension agent, and any years in excess of twenty (20) years as
5 such an officer or agent, or years credited to the member in
6 accordance with the provisions of Section 913 of this title, shall
7 be calculated for retirement purposes at two percent (2%) of the
8 final average compensation of the member multiplied by the number of
9 years of such service. For purposes of this paragraph, "final
10 average compensation" shall be determined by computing the average
11 annual salary, in the manner prescribed by paragraph (18) of Section
12 902 of this title, for the highest three (3) years of the last ten
13 (10) years of participating service immediately preceding retirement
14 or termination of employment for all years of service performed by
15 such member, both for years of service performed as a correctional
16 officer, probation and parole officer or fugitive apprehension
17 agent, not in excess of twenty (20) years, and for years of service
18 performed in excess of twenty (20) years, whether as a correctional
19 officer, probation and parole officer, fugitive apprehension agent
20 or other position unless the computation of benefits would result in
21 a lower retirement benefit amount than if final average compensation
22 were to be computed as otherwise provided by this paragraph. "Final
23 average compensation" shall be determined by computing the average
24 annual salary for the highest five (5) of the last ten (10) years of

1 participating service immediately preceding retirement or
2 termination of employment, with respect to members whose first
3 participating service occurs on or after July 1, 2013.

4 (7) Any member who is a correctional officer, a probation and
5 parole officer or a fugitive apprehension agent who has at least
6 five (5) years of service as a correctional officer, a probation and
7 parole officer or a fugitive apprehension agent who is in such
8 position on June 30, 2004, or who is hired after June 30, 2004, in
9 such position, and who receives a promotion or change in job
10 classification after June 30, 2004, to another position in the
11 Department of Corrections, and who is employed by the Department of
12 Corrections at the time of retirement and who retires on or after
13 July 1, 2004, shall be entitled to receive an annual retirement
14 benefit equal to two and one-half percent (2 1/2%) of the final
15 average compensation of the member, but not exceeding the maximum
16 compensation level as provided in paragraph (18) of Section 902 of
17 this title, multiplied by the number of years of service with the
18 Department of Corrections and any years in excess of twenty (20)
19 years with the Department or years credited to the member in
20 accordance with the provisions of Section 913 of this title, shall
21 be calculated for retirement purposes at two percent (2%) of the
22 final average compensation of the member multiplied by the number of
23 years of such service. For purposes of this paragraph, "final
24 average compensation" shall be determined by computing the average

1 annual salary, in the manner prescribed by paragraph (18) of Section
2 902 of this title, for the highest three (3) years of the last ten
3 (10) years of participating service immediately preceding retirement
4 or termination of employment for all years of service performed by
5 such member with the Department. "Final average compensation" shall
6 be determined by computing the average annual salary for the highest
7 five (5) of the last ten (10) years of participating service
8 immediately preceding retirement or termination of employment, with
9 respect to members whose first participating service occurs on or
10 after July 1, 2013.

11 (8) Any person who contributed to the System as a correctional
12 officer, a probation and parole officer or a fugitive apprehension
13 agent as provided in paragraph (b) or (c) of subsection (1) of
14 Section 919.1 of this title, and who retires under normal retirement
15 or early retirement on or after January 1, 2004, under paragraph
16 (24) of Section 902 of this title, and any public safety officer
17 described by paragraph (37) of Section 902 of this title hired on or
18 after the effective date of this act by the Grand River Dam
19 Authority and who retires on or after the effective date of this
20 act, shall have retirement benefits for each year of full-time-
21 equivalent participating service as a correctional officer, a
22 probation and parole officer or a fugitive apprehension agent, or
23 Grand River Dam public safety officer computed on two and one-half
24 percent (2 1/2%) of the final average compensation based upon those

1 years as a correctional officer, a probation and parole officer, a
2 fugitive apprehension agent or a Grand River Dam public safety
3 officer. For purposes of this paragraph, "final average
4 compensation" shall be determined by computing the average annual
5 salary, in the manner prescribed by paragraph (18) of Section 902 of
6 this title, for the highest three (3) years of the last ten (10)
7 years of participating service immediately preceding retirement or
8 termination of employment for all years of service performed by such
9 member, both for years of service performed as a correctional
10 officer, probation and parole officer or fugitive apprehension
11 agent, or years of service performed as a Grand River Dam public
12 safety officer, not in excess of twenty (20) years, and for years of
13 service performed in excess of twenty (20) years, whether as a
14 correctional officer, probation and parole officer, fugitive
15 apprehension agent, Grand River Dam public safety officer, or other
16 position unless the computation of benefits would result in a lower
17 retirement benefit amount than if final average compensation were to
18 be computed as otherwise provided by this paragraph. "Final average
19 compensation" shall be determined by computing the average annual
20 salary for the highest five (5) of the last ten (10) years of
21 participating service immediately preceding retirement or
22 termination of employment, with respect to members whose first
23 participating service occurs on or after July 1, 2013, or with
24 respect to Grand River Dam public safety officers whose first

1 participating service occurs on or after the effective date of this
2 act.

3 (9) Any member who is:

4 a. initially on or after July 1, 2002, employed as a
5 firefighter for the Oklahoma Military Department and
6 who retires on or after the member's normal retirement
7 date shall be entitled to receive an annual retirement
8 benefit equal to two and one-half percent (2 1/2%) of
9 the final average compensation of the member
10 multiplied by the number of years of service in such
11 service,

12 b. (1) a firefighter who performs firefighting services
13 for the Oklahoma Military Department prior to
14 July 1, 2002, and who makes an election in
15 writing on a form prescribed for this purpose by
16 the System not later than December 31, 2002,
17 shall be entitled to receive a retirement benefit
18 based upon two and one-half percent (2 1/2%) of
19 the final average compensation of the member
20 multiplied by the number of years of service as a
21 firefighter with the Oklahoma Military Department
22 on or after July 1, 2002. The election
23 authorized by this subdivision shall be
24

1 irrevocable once the election is filed with the
2 System,

3 (2) a firefighter who performs firefighting services
4 for the Oklahoma Military Department prior to
5 July 1, 2002, and who makes the election in
6 division (1) of this subparagraph may also make
7 an election in writing on a form prescribed for
8 this purpose by the System not later than
9 December 31, 2002, to receive a retirement
10 benefit based upon two and one-half percent (2
11 1/2%) of the final average compensation of the
12 member multiplied by the number of years of
13 service as a firefighter with the Oklahoma
14 Military Department prior to July 1, 2002. The
15 election authorized by this subdivision shall be
16 irrevocable once the election is filed with the
17 System. Retirement benefits shall be calculated
18 based upon the two and one-half percent (2 1/2%)
19 multiplier upon payment being made pursuant to
20 Section 913.5 of this title,

21 c. initially on or after July 1, 2025, employed as a
22 CLEET-certified law enforcement agent for the
23 Oklahoma Department of Human Services Office of
24 Inspector General and who retires on or after the

1 member's normal retirement date shall be entitled
2 to receive an annual retirement benefit equal to
3 two and one-half percent (2 1/2%) of the final
4 average compensation of the member multiplied by
5 the number of years of service in such service,

6 d. (1) a CLEET-certified law enforcement agent who
7 performs law enforcement services for the
8 Department of Human Services Office of Inspector
9 General prior to July 1, 2025, and who makes an
10 election in writing on a form prescribed for this
11 purpose by the System not later than December 31,
12 2025, shall be entitled to receive a retirement
13 benefit based upon two and one-half percent (2
14 1/2%) of the final average compensation of the
15 member multiplied by the number of years of
16 service as a CLEET-certified law enforcement
17 agent for the Department of Human Services Office
18 of Inspector General on or after July 1, 2025.
19 The election authorized by the subparagraph shall
20 be irrevocable once the election is filed with
21 the System,

22 (2) a CLEET-certified law enforcement agent who
23 performs law enforcement services for the
24 Department of Human Services Office of Inspector

1 General prior to July 1, 2025, and who makes the
2 election in subparagraph (1) of this paragraph
3 may also make an election in writing on a form
4 prescribed for this purpose by the System not
5 later than December 31, 2025, to receive a
6 retirement benefit based upon two and one-half
7 percent (2 1/2%) of the final average
8 compensation of the member multiplied by the
9 number of years of service as a CLEET-certified
10 law enforcement agent who performs law
11 enforcement services for the Department of Human
12 Services Office of Inspector General prior to
13 July 1, 2025. The election authorized by this
14 subdivision shall be irrevocable once the
15 election is filed with the System. Retirement
16 benefits shall be calculated based upon the two
17 and one-half percent (2 1/2%) multiplier upon
18 payment being made pursuant to Section 913.5 of
19 this title.

20 (10) Any person who contributes to the System as a deputy
21 sheriff or county jailer as provided in paragraph (f) of subsection
22 (1) of Section 919.1 of this title, and who was:

- 23 a. employed by a participating employer in the System
24 for the first time as a deputy sheriff or jailer on

1 or after November 1, 2020, and who retires under
2 normal retirement or early retirement under division
3 (v) of subparagraph (d) of paragraph (24) of Section
4 902 of this title, shall have retirement benefits for
5 each year of full-time-equivalent participating
6 service as a deputy sheriff or county jailer computed
7 on two and one-half percent (2 1/2%) of the final
8 average compensation based upon those years as a
9 deputy sheriff or county jailer, and any years in
10 excess of twenty (20) years as a deputy sheriff or
11 county jailer, or years credited to the member in
12 accordance with the provisions of Section 913 of this
13 title, shall be calculated for retirement purposes at
14 two percent (2%) of the final average compensation of
15 the member multiplied by the number of years of such
16 service, or

- 17 b. (1) employed by a participating employer in the
18 System for the first time as a deputy sheriff or
19 county jailer before November 1, 2020, and who
20 retires under the normal retirement or early
21 retirement under division (vi) of subparagraph
22 (d) of paragraph (24) of Section 902 of this
23 title, shall be entitled to receive a retirement
24 benefit based on two and one-half percent (2

1 1/2%) of the final average compensation of the
2 member multiplied based on the number of years of
3 service as a deputy sheriff or county jailer with
4 any county participating in the System on or
5 after November 1, 2024,

6 (2) employed by a participating employer in the
7 System for the first time as a deputy sheriff or
8 county jailer before November 1, 2020, and who
9 retires under the normal retirement or early
10 retirement under division (vi) of subparagraph
11 (d) of paragraph (24) of Section 902 of this
12 title, and who makes an election in writing not
13 later than July 1, 2026, on a form prescribed for
14 this purpose by the System, shall be entitled to
15 a retirement benefit based upon two and one-half
16 percent (2 1/2%) of the final average
17 compensation of the member multiplied by the
18 number of years of service prior to November 1,
19 2024, as a deputy sheriff or county jailer
20 employed by any county that is a participating
21 employer in the System. The election authorized
22 by this subparagraph shall be irrevocable once
23 the election is filed with the System.
24 Retirement benefits shall be calculated based

1 upon the two and one-half percent (2 1/2%)
2 multiplier upon payment being made pursuant to
3 Section 913.5 of this title. Any person
4 otherwise qualifying under this subparagraph, but
5 who is not employed as a deputy sheriff or county
6 jailer on November 1, 2024, and who is reemployed
7 as a deputy sheriff or county jailer with a
8 county that is a participating employer in the
9 System after November 1, 2024, shall have six (6)
10 months from the initial date of reemployment to
11 make the election authorized in this
12 subparagraph. The actuarial purchase of any
13 service credit accrued prior to November 1, 2024,
14 as a deputy sheriff or county jailer employed by
15 a county that is a participating employer in the
16 System as set forth in this subparagraph shall
17 cancel such corresponding service and shall not
18 be used to compute the retirement benefit under
19 any other provision except as provided in this
20 subparagraph. In no event shall the service
21 purchased under this subparagraph cause the
22 member to receive a retirement benefit for the
23 same service in any other plan. Any purchased
24 service under this subparagraph shall comply with

1 the applicable provisions of the Internal Revenue
2 Code and rules adopted by the Board of Trustees.

3 c. For purposes of paragraph (10), "final average
4 compensation" shall be determined by computing the
5 average annual salary, in the manner prescribed by
6 paragraph (18) of Section 902 of this title, both for
7 years of service performed as a deputy sheriff or
8 county jailer not in excess of twenty (20) years, and
9 for years of service performed in excess of twenty
10 (20) years, whether as a deputy sheriff or county
11 jailer.

12 (11) Upon death of a retiree, there shall be paid to his or her
13 beneficiary an amount equal to the excess, if any, of his or her
14 accumulated contributions over the sum of all retirement benefit
15 payments made.

16 (12) Such annual retirement benefits shall be paid in equal
17 monthly installments, except that the Board may provide for the
18 payment of retirement benefits which total less than Two Hundred
19 Forty Dollars (\$240.00) a year on other than a monthly basis.

20 (13) Pursuant to the rules established by the Board, a retiree
21 receiving monthly benefits from the System may authorize warrant
22 deductions for any products currently offered to active state
23 employees through the Employees Benefits Council, provided that
24 product is offered to state retirees as a group and has a minimum

1 participation of five hundred state retirees. The System has no
2 responsibility for the marketing, enrolling or administration of
3 such products, but shall retain a processing fee of two percent (2%)
4 of the gross deductions for the products. Retirement benefit
5 deductions shall be made for membership dues for any statewide
6 association for which payroll deductions are authorized pursuant to
7 subsection B of Section 34.70 of Title 62 of the Oklahoma Statutes
8 for retired members of any state-supported retirement system, upon
9 proper authorization given by the member to the board from which the
10 member or beneficiary is currently receiving retirement benefits.

11 B. A member shall be considered disabled if such member
12 qualifies for the payment of Social Security disability benefits, or
13 the payment of benefits pursuant to the Railroad Retirement Act of
14 1974, Section 231 et seq. of Title 45 of the United States Code, and
15 shall be eligible for benefits hereunder upon proof of such
16 disability, provided such member is an active regularly scheduled
17 employee with a participating employer at the time of injury or
18 inception of illness or disease resulting in subsequent
19 certification of eligibility for Social Security disability benefits
20 by reason of such injury, illness or disease, providing such
21 disability is certified by the Social Security Administration within
22 one (1) year after the last date physically on the job and after
23 completion of at least eight (8) years of participating service or
24 combined prior and participating service or resulting in subsequent

1 certification of eligibility of disability by the Railroad
2 Retirement Board providing such certification is made by the
3 Railroad Retirement Board within one (1) year after the last date
4 physically on the job and after completion of at least eight (8)
5 years of participating service or combined prior and participating
6 service. The member shall submit to the Retirement System the
7 Social Security Award Notice or the Railroad Retirement Award Notice
8 certifying the date of entitlement for disability benefits, as
9 issued by the Social Security Administration, Department of Health
10 and Human Services or the Railroad Retirement Board. Disability
11 benefits shall become effective on the date of entitlement as
12 established by the Social Security Administration or the Railroad
13 Retirement Board, but not before the first day of the month
14 following removal from the payroll, whichever is later, and final
15 approval by the Retirement System. Benefits shall be based upon
16 length of service and compensation as of the date of disability,
17 without actuarial reduction because of commencement prior to the
18 normal retirement date. The only optional form of benefit payment
19 available for disability benefits is Option A as provided for in
20 Section 918 of this title. Option A must be elected in accordance
21 with the provisions of Section 918 of this title. Benefit payments
22 shall cease upon the member's recovery from disability prior to the
23 normal retirement date. Future benefits, if any, shall be paid
24 based upon length of service and compensation as of the date of

1 disability. In the event that disability ceases and the member
2 returns to employment within the System credited service to the date
3 of disability shall be restored, and future benefits shall be
4 determined accordingly.

5 C. A member who incurred a disability pursuant to subsection B
6 of this section on or after July 1, 1999, and who has retired from
7 the System with an early retirement benefit pending certification
8 from the Social Security Administration or the Railroad Retirement
9 Board shall receive a retirement benefit not less than the
10 disability retirement benefit provided by subsection B of this
11 section once the System receives a Social Security Award Notice or a
12 Railroad Retirement Award Notice pursuant to subsection B of this
13 section and a completed Application for Disability Benefits. In
14 addition, such member shall receive the difference, if any, between
15 the early retirement benefit and the disability benefit from the
16 date the Social Security Administration or the Railroad Retirement
17 Board establishes disability entitlement.

18 D. Any actively participating member of the System on or after
19 July 1, 1998, except for those employees provided in subparagraph
20 (e) of paragraph (14) of Section 902 of this title, whose employment
21 is less than full-time, shall have his or her final average
22 compensation calculated on an annualized basis using his or her
23 hourly wage subject to the maximum compensation limits; provided,
24 however, any such member whose first participating service occurred

1 before July 1, 2013, and who has at least three (3) years of full-
2 time employment during the last ten (10) years immediately preceding
3 termination or retirement shall not be eligible for the
4 annualization provisions contained herein; and provided further, any
5 such member whose first participating service occurred on or after
6 July 1, 2013, and who has at least five (5) years of full-time
7 employment during the last ten (10) years immediately preceding
8 termination or retirement shall not be eligible for the
9 annualization provisions contained herein. The Board of Trustees
10 shall promulgate such administrative rules as are necessary to
11 implement the provisions of this subsection.

12 SECTION 3. AMENDATORY 74 O.S. 2021, Section 916.3, as
13 amended by Section 3, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024,
14 Section 916.3), is amended to read as follows:

15 Section 916.3. A. Notwithstanding the provisions of Sections
16 901 through 932 of this title, a monthly pension, as provided in
17 subsection B of this section, shall be paid on behalf of any member
18 who is a:

19 1. Correctional officer or probation and parole officer of the
20 Department of Corrections and who is killed or mortally wounded on
21 or after January 1, 2000, during the performance of the member's
22 duties for the Department or any employee of the Department of
23 Corrections who is killed or mortally wounded after June 30, 2004,
24 during the performance of the member's duties for the Department;

1 2. Deputy sheriff or county jailer first hired on or after
2 November 1, 2020, by any county that is a participating member in
3 the System, and who is killed or mortally wounded during the
4 performance of the member's duties as a deputy sheriff or jailer;
5 ~~and~~

6 3. Deputy sheriff or county jailer first hired before November
7 1, 2020, by any county that is a participating employer in the
8 System, and who is killed or mortally wounded during the performance
9 of the member's duties for the participating county on or after
10 November 1, 2024; and

11 4. CLEET-certified law enforcement agent employed by the
12 Department of Human Services Office of Inspector General and who is
13 killed or mortally wounded on or after July 1, 2025, during the
14 performance of the member's duties for the Department.

15 B. The monthly benefit shall be equal to:

16 1. Two and one-half percent (2 1/2%);

17 2. Multiplied by twenty (20) years of service, regardless of
18 the actual number of years of credited service performed by the
19 member prior to death, if the member had performed less than twenty
20 (20) years of credited service, or the actual number of years of
21 credited service of the member if greater than twenty (20) years;

22 3. Multiplied by the member's final average compensation; and

23 4. Divided by 12.
24

1 C. The pension provided for in subsection A of this section
2 shall be paid:

3 1. Except as provided in subsection D of this section, to the
4 surviving spouse for life; or

5 2. If there is no surviving spouse or upon the death of the
6 surviving spouse:

7 a. to the surviving child or children of said member or
8 legal guardian of such child or children for such time
9 as such child or children are under the age of
10 eighteen (18) years, or

11 b. to the surviving child or children between the age of
12 eighteen (18) and twenty-two (22) years if the child
13 is enrolled full time in and is regularly attending a
14 public or private school or any institution of higher
15 education.

16 D. No surviving spouse shall receive benefits from this
17 section, Section 49-113 of Title 11 of the Oklahoma Statutes,
18 Section 50-117 of Title 11 of the Oklahoma Statutes, or Section 2-
19 306 of Title 47 of the Oklahoma Statutes as the surviving spouse of
20 more than one member of the Oklahoma Firefighters Pension and
21 Retirement System, the Oklahoma Police Pension and Retirement
22 System, the Oklahoma Law Enforcement Retirement System, or the
23 Oklahoma Public Employees Retirement System. The surviving spouse
24

1 of more than one member shall elect which member's benefits he or
2 she will receive.

3 E. In addition to the pension above provided for, if said
4 member leaves one or more children under the age of eighteen (18)
5 years or under the age of twenty-two (22) years if the child is
6 enrolled full-time in and is regularly attending a public or private
7 school or any institution of higher education, Four Hundred Dollars
8 (\$400.00) a month shall be paid to the surviving spouse or to the
9 person having the care and custody of such children if there is no
10 surviving spouse or if the surviving spouse dies and until each
11 child reaches the age of eighteen (18) years or reaches the age of
12 twenty-two (22) years if the child is enrolled full-time in and is
13 regularly attending a public or private school or any institution of
14 higher education.

15 F. The pension benefit provided in this section shall be made
16 prospectively only from the effective date of this act. The
17 benefits shall be payable beginning the later of the first day of
18 the month following the date that such employee was killed or dies
19 from a mortal wound, as provided in this section, or the effective
20 date of this act.

21 G. The Board of the Oklahoma Public Employees Retirement System
22 shall promulgate such rules as are necessary to implement the
23 provisions of this section.

24

1 SECTION 4. AMENDATORY 74 O.S. 2021, Section 919.1, as
2 amended by Section 4, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2024,
3 Section 919.1), is amended to read as follows:

4 Section 919.1. (1) Employee contributions to the System shall
5 be:

6 (a) for employees except as otherwise provided in
7 paragraphs (b), (c), (d), (e), (f) ~~and~~, (g), and (h)
8 of this subsection: beginning July 1, 2006, and
9 thereafter, three and one-half percent (3.5%) of
10 allowable annual compensation;

11 (b) for correctional officers and probation and parole
12 officers employed by the Department of Corrections:
13 beginning July 1, 1998, and thereafter, and for
14 correctional officers or probation and parole officers
15 who are in such position on June 30, 2004, or who are
16 hired after June 30, 2004, and who receive a promotion
17 or change in job classification after June 30, 2004,
18 to another position in the Department of Corrections,
19 so long as such officers have at least five (5) years
20 of service as a correctional officer or probation and
21 parole officer, eight percent (8%) of allowable
22 compensation as provided in paragraph (9) of Section
23 902 of this title;

1 (c) for fugitive apprehension agents who are employed with
2 the Department of Corrections on or after July 1,
3 2002, and for fugitive apprehension agents who are in
4 such position on June 30, 2004, or who are hired after
5 June 30, 2004, and who receive a promotion or change
6 in job classification after June 30, 2004, to another
7 position in the Department of Corrections, so long as
8 such agents have at least five (5) years of service as
9 a fugitive apprehension agent, eight percent (8%) of
10 allowable compensation as provided in paragraph (9) of
11 Section 902 of this title;

12 (d) for firefighters of the Oklahoma Military Department
13 first employed beginning July 1, 2002, and thereafter,
14 and such firefighters who performed service prior to
15 July 1, 2002, for the Oklahoma Military Department and
16 who make the election authorized by division (1) of
17 subparagraph b of paragraph (9) of subsection A of
18 Section 915 of this title who perform service on or
19 after July 1, 2002, in such capacity, eight percent
20 (8%) of allowable compensation as provided in
21 subsection (9) of Section 902 of this title;

22 (e) for all public safety officers of the Grand River Dam
23 Authority as defined by paragraph (37) of Section 902
24 of this title, eight percent (8%) of allowable

1 compensation as provided in paragraph (9) of Section
 2 902 of this title;

3 (f) for deputy sheriffs and county jailers employed by any
 4 county that is a participating employer in the System
 5 for the first time as a deputy sheriff or jailer on or
 6 after November 1, 2020, or beginning November 1, 2024,
 7 those deputy sheriffs and county jailers employed by
 8 any county that is a participating employer in the
 9 System for the first time as a deputy sheriff or
 10 county jailer before November 1, 2020, eight percent
 11 (8%) of allowable compensation as provided in
 12 paragraph (9) of Section 902 of this title; and

13 (g) for all CLEET-certified law enforcement agents of the
 14 Department of Human Services Office of Inspector
 15 General as defined by paragraph (38) of Section 902 of
 16 this title, eight percent (8%) of allowable
 17 compensation as provided in paragraph (9) of Section
 18 902 of this title; and

19 ~~(g)~~

20 (h) for all employees except those who make contributions
 21 pursuant to paragraphs (b), (c), (d), (e) and (f),
 22 and (g) of this subsection who make an irrevocable
 23 written election pursuant to paragraph (2) of
 24 subsection A of Section 915 of this title: six and

1 forty-one one-hundredths percent (6.41%) of allowable
2 annual compensation.

3 The contributions required by paragraphs (b), (c), (e), and (f)
4 of this subsection shall be made by a member for not more than
5 twenty (20) years and thereafter shall be as provided in paragraph
6 (a) of this subsection.

7 (2) Contributions shall be deducted by each state agency by the
8 participating employer for such benefits as the Board is authorized
9 to administer as provided for by law. Employee and employer
10 contributions shall be remitted monthly, or as the Board may
11 otherwise provide, to the Executive Director for deposit in the
12 Oklahoma Public Employees Retirement Fund.

13 (3) Each participating employer shall pick up under the
14 provisions of Section 414(h)(2) of the Internal Revenue Code of 1986
15 and pay the contribution which the member is required by law to make
16 to the System for all compensation earned after December 31, 1988.
17 Although the contributions so picked up are designated as member
18 contributions, such contributions shall be treated as contributions
19 being paid by the participating employer in lieu of contributions by
20 the member in determining tax treatment under the Internal Revenue
21 Code of 1986 and such picked up contributions shall not be
22 includable in the gross income of the member until such amounts are
23 distributed or made available to the member or the beneficiary of
24 the member. The member, by the terms of this System, shall not have

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

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

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

13 (4) By September 1, 1989, the System shall refund the
14 accumulated employee contributions of any member who elects to
15 retain the member's membership in the Teachers' Retirement System of
16 Oklahoma, in accordance with Section 17-104 of Title 70 of the
17 Oklahoma Statutes, to such member. Upon the refund of the
18 accumulated employee contributions referred to in this subsection,
19 all benefits and rights accrued to such member are terminated.

20 SECTION 5. AMENDATORY 74 O.S. 2021, Section 935.2, is
21 amended to read as follows:

22 Section 935.2. A. The Oklahoma Public Employees Retirement
23 System (System) shall establish a defined contribution system for
24 those persons who first become employed in a full-time equivalent

1 position or a position which is less than full-time but more than
2 half-time position and which qualifies for employee benefits,
3 including but not limited to, health insurance and leave time by any
4 participating employer of the System, as defined by paragraph (25)
5 of Section 902 of this title, on or after November 1, 2015. Any
6 person first licensed by the Department of Rehabilitation Services
7 as a vending stand operator or managing operator on or after
8 November 1, 2015, as defined by Section 929 of this title, shall be
9 eligible for participation in the defined contribution system.

10 B. The provisions of subsection A of this section and the
11 provisions of this act shall not be applicable to employees who are
12 initially employed in the positions described in division (i), (ii),
13 (iii), ~~or (iv)~~, or (vii) of subparagraph (d) of paragraph (24) of
14 Section 902 of this title, district attorneys, assistant district
15 attorneys or other employees of the district attorney's office, and
16 any employees of a county, county elected officials, county
17 hospital, city or town, conservation district, circuit engineering
18 district, and any public or private trust in which a county, city or
19 town participates and is the primary beneficiary.

20 C. An employee described by subsection A of this section shall
21 become a participant in the defined contribution system and the
22 employee shall not accrue any service credit in the Oklahoma Public
23 Employees Retirement System as established pursuant to Section 901
24 et seq. of this title.

1 D. Employees who participate in the defined contribution system
2 shall be deemed to begin service in the defined contribution system
3 on the first day of the month following employment.

4 E. An employee who begins participating in the defined benefit
5 plan on or after November 1, 2015, in one of the positions described
6 in subsection B of this section, shall continue to participate in
7 the defined benefit plan only as long as he or she continues to be
8 employed in a position described in subsection B of this section.

9 F. Any employee employed on or after November 1, 2015, by the
10 Legislative Service Bureau, State Senate or House of Representatives
11 for the full duration of a regular legislative session shall be
12 eligible for membership only in the defined contribution system
13 regardless of classification as a temporary employee. The temporary
14 session employee may participate in the defined contribution system
15 during the regular legislative session at the option of the
16 employee. Once the temporary session employee makes a choice to
17 participate, the choice shall be binding for all future legislative
18 sessions during which the temporary session employee is employed.
19 For purposes of this subparagraph, the determination of whether an
20 employee is employed for the full duration of a regular legislative
21 session shall be made by the employer.

22 SECTION 6. This act shall become effective July 1, 2025.

23 SECTION 7. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

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 60-1-11255 CMA 12/27/24

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THOMAS E. CUMMINS CONSULTING ACTUARY, INC.

2512 E. 71st Street , Suite D · Tulsa, Oklahoma 74136
(918) 492-9658 · (918) 492- 9659

January 13, 2025

Representative Strom
Room 455N

Re: RBH No. 11255

RBH No. 11255 would make CLEET active commissioned agents and CLEET certified agents of the Department Human Services who were hired on or after 7/01/2025 participants in the Oklahoma Law Enforcement Retirement System.

Those agents hired prior to 7/01/2025 have the option of purchasing service prior to 7/01/2025 or have the 2.5% retirement benefit based service after 6/30/2025 plus 2% on service prior to 7/01/2025.

RBH No. 11255 is a fiscal bill as defined by OPLAAA because it will increase the Actuarial Accrued Liability.

I am a member of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion herein.

Thomas E. Cummins

Thomas E. Cummins, MAAA