

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1729

By: Moore

AS INTRODUCED

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

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

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

A. A retired district attorney or assistant district attorney may enter into postretirement employment with a district attorney's office and receive monthly retirement benefits subject to the following limitations:

1. A retired district attorney or assistant district attorney is not eligible to be employed within a district attorney's office, in any capacity, for sixty (60) calendar days between the retiree's last day of preretirement employment and any postretirement employment. For purposes of this section, the term "last day of

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

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

1 duties ordinarily performed by classified or nonclassified personnel
2 shall be the lesser of Thirty Thousand Dollars (\$30,000.00) or one-
3 half (1/2) of the member's final average salary used in computing
4 retirement benefits. For purposes of this paragraph, the following
5 shall apply:

6 a. the earnings limitation for employees allowed by the
7 Social Security Administration to workers between the
8 age of sixty-two (62) years and sixty-five (65) years
9 shall apply to retired members below the age of sixty-
10 two (62) years,

11 b. the limit on allowed earnings from district attorneys'
12 offices shall be automatically adjusted effective the
13 first day of January of each year to reflect the
14 current earnings limitation for employees as
15 determined from time to time by the Social Security
16 Administration,

17 c. the earnings limit for the calendar year in which a
18 member retires shall be one-twelfth (1/12) of the
19 annual limit multiplied by the number of months the
20 member is eligible to work and receive payments from
21 district attorneys' offices,

22 d. earnings in excess of the maximum limit on allowed
23 earnings from district attorneys' offices shall result
24 in a loss of future retirement benefits for the year

1 the postretirement employment was performed of One
2 Dollar (\$1.00) for each One Dollar (\$1.00) earned over
3 the maximum allowed earnings amount, and

4 e. for those members age seventy (70) years and over, the
5 earnings in excess of the maximum limit allowed
6 earnings from district attorneys' offices shall be
7 one-half (1/2) the member's final average salary used
8 in computing retirement benefits.

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

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11 60-1-11432 CMA 12/31/24
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January 8, 2025

Representative Moore
Room 406S

Re: RBH No. 11432

RBH No. 11432 would allow retired District Attorneys and retired Assistant District Attorneys to return to employment after 60 days of retirement and continue to receive retirement benefits with earnings limitations. Earnings limitations depend upon the retired participant's age.

RBH No. 11432 is a non fiscal bill as defined by OPLAAA.

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