

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB395 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Leslie Osborn

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED
COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 395

By: Mazzei of the Senate

and

McDaniel (Randy) of the
HousePROPOSED COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Law Enforcement Retirement System; amending 47 O.S. 2011, Section 2-300, which relates to definitions; modifying definitions related to investigators of the Oklahoma Board of Dentistry; providing for membership of investigators in the Oklahoma Law Enforcement Retirement System; providing for transfer of accumulated service credit from the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System; prescribing procedures for transfer of service credit; defining terms; prescribing method for computation of certain values; providing for transfer of certain contribution amounts to the Oklahoma Law Enforcement Retirement System; providing for certain election; imposing time limits for transfers and payments; providing for amortization of certain payment amount; providing for utilization of service credit for purpose of vesting and retirement date computations; providing for cancellation of certain service credit amounts; authorizing Oklahoma Board of Dentistry to pay certain amounts to the Oklahoma Law Enforcement Retirement System; authorizing commitments pursuant to contract; providing for responsibility of certain payments by investigators of the Oklahoma Board of

1 Dentistry; requiring promulgation of rules; and
2 providing an effective date.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-300, is
6 amended to read as follows:

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

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

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

11 3. "Board" means the Oklahoma Law Enforcement Retirement Board
12 of the System;

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

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

16 6. a. "Member" means:

- 17 (1) all commissioned law enforcement officers of the
18 Oklahoma Highway Patrol Division of the
19 Department of Public Safety who have obtained
20 certification from the Council on Law Enforcement
21 Education and Training, and all cadets of a
22 Patrol Academy of the Department of Public
23 Safety,
24

- 1 (2) law enforcement officers and criminalists of the
2 Oklahoma State Bureau of Investigation,
- 3 (3) law enforcement officers of the Oklahoma State
4 Bureau of Narcotics and Dangerous Drugs Control
5 designated to perform duties in the investigation
6 and prevention of crime and the enforcement of
7 the criminal laws of this state,
- 8 (4) law enforcement officers of the Oklahoma
9 Alcoholic Beverage Laws Enforcement Commission
10 designated to perform duties in the investigation
11 and prevention of crime and the enforcement of
12 the criminal laws of this state,
- 13 (5) employees of the Communications Section of the
14 Oklahoma Highway Patrol Division, radio
15 technicians, and tower technicians of the
16 Department of Public Safety, who are employed in
17 any such capacity as of June 30, 2008, and who
18 remain employed on or after July 1, 2008, until a
19 termination of service, or until a termination of
20 service with an election of a vested benefit from
21 the System, or until retirement. Effective July
22 1, 2008, a person employed for the first time as
23 an employee of the Department of Public Safety in
24 the Communications Division as an information

1 systems telecommunication technician of the
2 Department of Public Safety shall not be a member
3 of the System,

4 (6) park rangers of the Oklahoma Tourism and
5 Recreation Department and any park manager or
6 park supervisor of the Oklahoma Tourism and
7 Recreation Department who was employed in such a
8 position prior to July 1, 1985, and who elects on
9 or before September 1, 1996, to participate in
10 the System, and

11 (7) inspectors of the Board of Pharmacy and effective
12 January 1, 2016, investigators of the Board of
13 Dentistry who are employed as of January 1, 2016,
14 and any investigator of the Board of Dentistry
15 employed in such capacity for the first time on
16 or after January 1, 2016.

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

1 employee by the Internal Revenue Service or any other
2 governmental agency, or any court of competent
3 jurisdiction.

4 c. All persons who shall be offered a position of a
5 commissioned law enforcement officer as an employee of
6 one of the agencies described in subparagraph a of
7 this paragraph shall participate in the System upon
8 the person meeting the requisite post-offer-pre-
9 employment physical examination standards which shall
10 be subject to the following requirements:

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

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

21 (3) the person shall be required to meet the
22 conditions of this subsection prior to the
23 beginning of actual employment but after an offer
24

1 of employment has been tendered by a
2 participating employer,

3 (4) the Board shall have authority to deny or revoke
4 membership of any person submitting false
5 information in such person's membership
6 application, and

7 (5) the Board shall have final authority in
8 determining eligibility for membership in the
9 System, pursuant to the provisions of this
10 subsection;

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

15 a. completes twenty (20) years of vesting service, or

16 b. attains sixty-two (62) years of age with ten (10)
17 years of vesting service, or

18 c. attains sixty-two (62) years of age, if:

19 (1) the member has been transferred to this System
20 from the Oklahoma Public Employees Retirement
21 System on or after July 1, 1981, and

22 (2) the member would have been vested had the member
23 continued to be a member of the Oklahoma Public
24 Employees Retirement System.

1 With respect to distributions under the System made for calendar
2 years beginning on or after January 1, 2005, the System shall apply
3 the minimum distribution incidental benefit requirements, incidental
4 benefit requirements, and minimum distribution requirements of
5 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
6 in accordance with the final regulations under Section 401(a)(9) of
7 the Internal Revenue Code of 1986, as amended, which were issued in
8 April 2002 and June 2004, notwithstanding any provision of the
9 System to the contrary. With respect to distributions under the
10 System made for calendar years beginning on or after January 1,
11 2001, through December 31, 2004, the System shall apply the minimum
12 distribution requirements and incidental benefit requirements of
13 Section 401(a)(9) of the Internal Revenue Code of 1986, as amended,
14 in accordance with the regulations under Section 401(a)(9) of the
15 Internal Revenue Code of 1986, as amended, which were proposed in
16 January 2001, notwithstanding any provision of the System to the
17 contrary.

18 Effective July 1, 1989, notwithstanding any other provision
19 contained herein to the contrary, in no event shall commencement of
20 distribution of the accrued retirement benefit of a member be
21 delayed beyond April 1 of the calendar year following the later of:
22 (1) the calendar year in which the member reaches seventy and one-
23 half (70 1/2) years of age; or (2) the actual retirement date of the
24

1 member. The preceding sentence does not allow deferral of benefit
2 commencement beyond the age of sixty-five (65).

3 Effective September 8, 2009, notwithstanding anything to the
4 contrary of the System, the System, which as a governmental plan
5 (within the meaning of Section 414(d) of the Internal Revenue Code
6 of 1986, as amended), is treated as having complied with Section
7 401(a)(9) of the Internal Revenue Code of 1986, as amended, for all
8 years to which Section 401(a)(9) of the Internal Revenue Code of
9 1986, as amended, applies to the System if the System complies with
10 a reasonable and good faith interpretation of Section 401(a)(9) of
11 the Internal Revenue Code of 1986, as amended.

12 A member who was required to join the System effective July 1,
13 1980, because of the transfer of the employing agency from the
14 Oklahoma Public Employees Retirement System to the System, and was
15 not a member of the Oklahoma Public Employees Retirement System on
16 the date of such transfer shall be allowed to receive credit for
17 prior law enforcement service rendered to this state, if the member
18 is not receiving or eligible to receive retirement credit or
19 benefits for such service in any other public retirement system,
20 upon payment to the System of the employee contribution the member
21 would have been subject to had the member been a member of the
22 System at the time, plus five percent (5%) interest. Service credit
23 received pursuant to this paragraph shall be used in determining the
24

1 member's retirement benefit, and shall be used in determining years
2 of service for retirement or vesting purposes;

3 8. "Actual paid base salary" means the salary received by a
4 member, excluding payment for any accumulated leave or uniform
5 allowance. Salary shall include any amount of nonelective salary
6 reduction under Section 414(h) of the Internal Revenue Code of 1986;

7 9. "Final average salary" means the average of the highest
8 thirty (30) consecutive complete months of actual paid gross salary.
9 Gross salary shall include any amount of elective salary reduction
10 under Section 457 of the Internal Revenue Code of 1986, as amended,
11 and any amount of nonelective salary reduction under Section 414(h)
12 of the Internal Revenue Code of 1986, as amended. Effective July 1,
13 1992, gross salary shall include any amount of elective salary
14 reduction under Section 125 of the Internal Revenue Code of 1986, as
15 amended. Effective July 1, 1998, gross salary shall include any
16 amount of elective salary reduction not includable in the gross
17 income of the member under Section 132(f)(4) of the Internal Revenue
18 Code of 1986, as amended. Effective July 1, 1998, for purposes of
19 determining a member's compensation, any contribution by the member
20 to reduce his or her regular cash remuneration under Section
21 132(f)(4) of the Internal Revenue Code of 1986, as amended, shall be
22 treated as if the member did not make such an election. Only salary
23 on which required contributions have been made may be used in
24

1 computing the final average salary. Gross salary shall not include
2 severance pay.

3 In addition to other applicable limitations, and notwithstanding
4 any other provision to the contrary, for plan years beginning on or
5 after July 1, 2002, the annual gross salary of each "Noneligible
6 Member" taken into account under the System shall not exceed the
7 Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA")
8 annual salary limit. The EGTRRA annual salary limit is Two Hundred
9 Thousand Dollars (\$200,000.00), as adjusted by the Commissioner for
10 increases in the cost of living in accordance with Section
11 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The
12 annual salary limit in effect for a calendar year applies to any
13 period, not exceeding twelve (12) months, over which salary is
14 determined ("determination period") beginning in such calendar year.
15 If a determination period consists of fewer than twelve (12) months,
16 the EGTRRA salary limit will be multiplied by a fraction, the
17 numerator of which is the number of months in the determination
18 period, and the denominator of which is twelve (12). For purposes
19 of this section, a "Noneligible Member" is any member who first
20 became a member during a plan year commencing on or after July 1,
21 1996.

22 For plan years beginning on or after July 1, 2002, any reference
23 in the System to the annual salary limit under Section 401(a)(17) of
24

1 the Internal Revenue Code of 1986, as amended, shall mean the EGTRRA
2 salary limit set forth in this provision.

3 Effective January 1, 2008, gross salary for a plan year shall
4 also include gross salary, as described above, for services, but
5 paid by the later of two and one-half (2 1/2) months after a
6 member's severance from employment or the end of the calendar year
7 that includes the date the member terminated employment, if it is a
8 payment that, absent a severance from employment, would have been
9 paid to the member while the member continued in employment with the
10 employer.

11 Effective January 1, 2008, any payments not described above
12 shall not be considered gross salary if paid after severance from
13 employment, even if they are paid by the later of two and one-half
14 (2 1/2) months after the date of severance from employment or the
15 end of the calendar year that includes the date of severance from
16 employment, except payments to an individual who does not currently
17 perform services for the employer by reason of qualified military
18 service within the meaning of Section 414(u)(5) of the Internal
19 Revenue Code of 1986, as amended, to the extent these payments do
20 not exceed the amounts the individual would have received if the
21 individual had continued to perform services for the employer rather
22 than entering qualified military service.

23 Effective January 1, 2008, back pay, within the meaning of
24 Section 1.415(c)-2(g)(8) of the Income Tax Regulations, shall be

1 treated as gross salary for the limitation year to which the back
2 pay relates to the extent the back pay represents wages and
3 compensation that would otherwise be included in this definition.

4 Effective for years beginning after December 31, 2008, gross
5 salary shall also include differential wage payments under Section
6 414(u) (12) of the Internal Revenue Code of 1986, as amended;

7 10. "Credited service" means the period of service used to
8 determine the amount of benefits payable to a member. Credited
9 service shall consist of the period during which the member
10 participated in the System or the predecessor Plan as an active
11 employee in an eligible membership classification, plus any service
12 prior to the establishment of the predecessor Plan which was
13 credited under the predecessor Plan and for law enforcement officers
14 and criminalists of the Oklahoma State Bureau of Investigation and
15 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
16 who became members of the System on July 1, 1980, any service
17 credited under the Oklahoma Public Employees Retirement System as of
18 June 30, 1980, and for members of the Communications and Lake Patrol
19 Divisions of the Oklahoma Department of Public Safety, who became
20 members of the System on July 1, 1981, any service credited under
21 the predecessor Plan or the Oklahoma Public Employees Retirement
22 System as of June 30, 1981, and for law enforcement officers of the
23 Alcoholic Beverage Laws Enforcement Commission who became members of
24 the System on July 1, 1982, any service credited under the Oklahoma

1 Public Employees Retirement System as of June 30, 1982, and for park
2 rangers of the Oklahoma Tourism and Recreation Department who became
3 members of the System on July 1, 1985, any service credited under
4 the Oklahoma Public Employees Retirement System as of June 30, 1985,
5 and for inspectors of the Oklahoma State Board of Pharmacy who
6 became members of the System on July 1, 1986, any service credited
7 under the Oklahoma Public Employees Retirement System as of June 30,
8 1986, for law enforcement officers of the Oklahoma Capitol Patrol
9 Division of the Department of Public Safety who became members of
10 the System effective July 1, 1993, any service credited under the
11 Oklahoma Public Employees Retirement System as of June 30, 1993, and
12 for all commissioned officers in the Gunsmith/Ammunition Reloader
13 Division of the Department of Public Safety who became members of
14 the System effective July 1, 1994, any service credited under the
15 Oklahoma Public Employees Retirement System as of June 30, 1994, and
16 for the park managers or park supervisors of the Oklahoma Tourism
17 and Recreation Department who were employed in such a position prior
18 to July 1, 1985, and who elect to become members of the System
19 effective September 1, 1996, any service transferred pursuant to
20 subsection C of Section 2-309.6 of this title and any service
21 purchased pursuant to subsection B of Section 2-307.2 of this title.
22 Effective August 5, 1993, an authorized leave of absence shall
23 include a period of absence pursuant to the Family and Medical Leave
24 Act of 1993;

1 11. "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 12. "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 13. "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 14. "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 15. "Catastrophic nature" means consequences of an injury that
24 permanently prevent an individual from performing any gainful work;

1 16. "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 17. "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. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2-309.9 of Title 47, unless
16 there is created a duplication in numbering, reads as follows:

17 Section 2-309.9 A. Investigators of the Oklahoma State Board
18 of Dentistry who:

19 1. Are members of the Oklahoma Public Employees Retirement
20 System as of January 1, 2016, shall cease accruing benefits in the
21 Oklahoma Public Employees Retirement System and shall commence
22 accruing benefits under the Oklahoma Law Enforcement Retirement
23 System on January 1, 2016; and
24

1 2. Are first employed in such capacity on or after January 1,
2 2016, shall commence accruing benefits under the Oklahoma Law
3 Enforcement Retirement System on their date of first employment.

4 B. The Oklahoma Public Employees Retirement System shall
5 transfer to the Oklahoma Law Enforcement Retirement System the
6 actual amount contributed to the Oklahoma Public Employees
7 Retirement System by the state and by each investigator of the
8 Oklahoma State Board of Dentistry transferring to the Oklahoma Law
9 Enforcement Retirement System pursuant to paragraph 1 of subsection
10 A of this section and the retirement records of those transferring
11 employees not later than January 1, 2016, and shall transfer the
12 employer and employee contribution amounts and records for an
13 investigator initially employed on or after January 1, 2016, who
14 transfers service credit to the Oklahoma Law Enforcement Retirement
15 System within thirty (30) days of initial employment.

16 C. Except as otherwise provided by this section, service
17 accrued by said investigators of the Oklahoma State Board of
18 Dentistry under the Oklahoma Public Employees Retirement System
19 shall be treated as credited service under the Oklahoma Law
20 Enforcement Retirement System if the investigator is not receiving
21 or eligible to receive service credit or benefits from said service
22 in any other public retirement system and the member has not
23 received service credit for the same years of service pursuant to
24 Sections 2-307.1, 2-307.3 and 2-307.4 of Title 47 of the Oklahoma

1 Statutes. Provided, however, that the total of credited service for
2 each transferring employee shall not exceed the credited service
3 said employee could have accrued if his or her entire employment
4 with an agency of the State of Oklahoma had been as an employee of
5 the Oklahoma State Board of Dentistry.

6 D. The provisions of this subsection shall be applicable to the
7 service credit of investigators who transfer from the Oklahoma
8 Public Employees Retirement System to the Oklahoma Law Enforcement
9 Retirement System pursuant to paragraph 1 of subsection A of this
10 section and shall also be applicable to persons who first become
11 investigators of the Oklahoma Board of Dentistry on or after January
12 1, 2016, if such persons have service credit acquired in the
13 Oklahoma Public Employee Retirement System and who transfer such
14 service credit to the Oklahoma Law Enforcement Retirement System.
15 For purposes of this subsection, the "sending system" shall mean the
16 Oklahoma Public Employees Retirement System. The "receiving system"
17 shall mean the Oklahoma Law Enforcement Retirement System.

18 1. Within thirty (30) days after the effective date of this act
19 with respect to investigators described by paragraph 1 of subsection
20 A of this section or within thirty (30) days of the initial
21 employment date of investigators described by paragraph 2 of
22 subsection A of this section, the sending system shall, according to
23 its own rules and regulations:
24

- a. for members who have vested with the sending system, determine the present value of the member's earned benefits attributable to the years of service sought to be transferred, discounted according to the member's age at the time of transfer and computed as of the earliest age at which the member would be able to retire. Said computation shall assume an unreduced benefit and be computed using interest and mortality assumptions consistent with the actuarial assumptions adopted by the Board of Trustees of the Oklahoma Public Employees Retirement System for purposes of preparing the annual actuarial evaluation but shall not make any projections regarding future salary. For vested employees the sending system shall use the product of this calculation for purposes of determining the transfer fee to be paid by the employee under paragraph 3 of this subsection so long as it is greater than the product of the calculation in this paragraph, and
- b. determine the sum of the employee and employer contributions applicable to the years of service sought to be transferred plus interest consistent with the actuarial assumptions adopted by the Board of Trustees for purposes of preparing the annual

1 actuarial evaluation. For all nonvested members, and
2 for vested members if the product of this calculation
3 is greater than the product of the calculation in
4 subparagraph a of this paragraph, the sending system
5 shall use the product of this calculation for purposes
6 of determining the amount to be transferred by the
7 sending system under paragraph 3 of this subsection
8 and any transfer fee to be paid by the members under
9 paragraph 4 of this subsection.

10 2. Within thirty (30) days after the effective date of this act
11 with respect to investigators described by paragraph 1 of subsection
12 A of this section or within thirty (30) days of the initial
13 employment date of investigators described by paragraph 2 of
14 subsection A of this section, the receiving system shall determine,
15 according to the system's own rules and regulations, the present
16 value of the member's incremental projected benefits discounted
17 according to the member's age at the time of the transfer.
18 Incremental projected benefits shall be the difference between the
19 projected benefit said member would receive without transferring the
20 service credit and the projected benefit after transfer of service
21 credit computed as of the earliest age at which the member would be
22 able to retire. Said computation shall assume an unreduced benefit
23 and be computed using interest, salary projections and mortality
24 assumptions consistent with the actuarial assumptions adopted by the

1 Board of Trustees of the Oklahoma Law Enforcement Retirement System
2 for purposes of preparing the annual actuarial evaluation.

3 3. The sending system shall transfer to the receiving system
4 the amount determined in paragraph 1 of this subsection not later
5 than January 1, 2016, with respect to investigators described by
6 paragraph 1 of subsection A of this section and within thirty (30)
7 days of the initial employment date of investigators described by
8 paragraph 2 of subsection A of this section.

9 4. In order to receive the credit provided for in this
10 subsection, if the cost of the actuarial value of the incremental
11 benefit to the receiving system is greater than the cost as
12 calculated under paragraph 1 of this subsection for the same years
13 of service to the sending system as established in paragraphs 1 and
14 2 of this subsection, the employee shall elect to:

- 15 a. pay any difference to receive full credit for the
16 years sought to be transferred, or
- 17 b. receive prorated service credit for only the amount
18 received from the Oklahoma Public Employees Retirement
19 System pursuant to this subsection.

20 Such an election shall be made in writing, filed with the System
21 prior to receiving the credit provided for in this subsection, and
22 shall be irrevocable.

23 E. Within sixty (60) days of successfully completing all of the
24 requirements for transfer under subsection D of this section, the

1 sending system shall pay the receiving system any amount due under
2 subsection D of this section. Within sixty (60) days of
3 successfully completing all of the requirements for transfer under
4 this subsection, the member shall pay the receiving system any
5 amount due under subsection D of this section. In the event that
6 the member is unable to pay the transfer fee provided for in this
7 section by the due date, the Board of Trustees of the receiving
8 system shall permit the member to amortize the transfer fee over a
9 period not to exceed sixty (60) months. Said payments shall be made
10 by payroll deductions unless the Board of Trustees permits an
11 alternate payment source. The amortization shall include interest
12 in an amount not to exceed the actuarially assumed interest rate
13 adopted by the Board of Trustees for investment earnings each year.
14 Any member who ceases to make payment, terminates, retires or dies
15 before completing the payments provided for in this section shall
16 receive prorated service credit for only those payments made, unless
17 the unpaid balance is paid by said member, his or her estate or
18 successor in interest within six (6) months after said member's
19 death, termination of employment or retirement; provided, no
20 retirement benefits shall be payable until the unpaid balance is
21 paid, unless said member or beneficiary affirmatively waives the
22 additional six-month period in which to pay the unpaid balance.

23 F. Years of service transferred pursuant to this section shall
24 be used both in determining the member's retirement benefit and in

1 determining the years of service for retirement and/or vesting
2 purposes.

3 G. If any member fails for any reason to satisfy the
4 requirements of subsection D of this section, to the extent that the
5 Oklahoma Law Enforcement Retirement System does not receive full
6 payment, the retirement service credit for which payment is not made
7 shall be canceled. If such retirement credit is canceled, the years
8 of canceled retirement credit which were unsuccessfully transferred
9 to the receiving system from the sending system shall be
10 reestablished in the sending system. The member's rights and
11 obligations regarding any retirement credit reestablished in the
12 sending system due to a failure to satisfy the requirements of
13 subsection D of this section shall be determined by the sending
14 system in accordance with Section 901 et seq. of Title 74 of the
15 Oklahoma Statutes.

16 H. All service credit with the Oklahoma Public Employees
17 Retirement System which is ineligible for transfer to the Oklahoma
18 Law Enforcement Retirement System shall be canceled.

19 I. The Oklahoma Board of Dentistry may pay all or part of the
20 cost for an investigator to acquire service credit in the Oklahoma
21 Law Enforcement Retirement System after the computations prescribed
22 by subsection D of this section have been completed. The Oklahoma
23 Board of Dentistry shall not be obligated to pay any part or all of
24 such cost of service-credit acquisition, but shall have the

1 authority to make a contractual commitment to do so as part of the
2 employment agreement with the investigator.

3 J. If the Oklahoma Board of Dentistry does not make a
4 contractual commitment to pay for the acquisition of the service
5 credit in the Oklahoma Law Enforcement Retirement System or makes a
6 contractual commitment for any amount less than the total amount
7 required for the acquisition of service credit, any remaining amount
8 shall be the exclusive responsibility of the investigator and such
9 remaining amount may be paid for in the same manner as other service
10 credit using the procedures prescribed by subsection B of Section 2-
11 307.5 of Title 47 of the Oklahoma Statutes.

12 K. The Board of Trustees shall promulgate such rules as are
13 necessary to implement the provisions of this section.

14 SECTION 3. This act shall become effective November 1, 2015.

15
16 55-1-7156 MAH 03/23/15
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