

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2304

By: Frix, Luttrell, Kerbs,  
Branham, Kannady, May,  
Dunnington, Munson, Conley,  
Meredith, Rosecrants,  
Dollens, Perryman, Loring,  
Ranson, West (Tammy),  
Fetgatter, Baker, Fugate,  
Humphrey, Sneed, Pae,  
Tadlock, Nollan, Manger,  
Albright, Lawson, Goodwin,  
West (Josh), Moore, Roberts  
(Sean), Mize, Hill and  
McBride of the House

and

Pemberton, Rosino,  
Pederson, Dugger, Hall,  
Scott, Stanley, Kidd,  
Weaver, Boggs, Hicks and  
Silk of the Senate

COMMITTEE SUBSTITUTE

An Act relating to public retirement systems;  
authorizing benefit increase for certain retired  
members of the Oklahoma Firefighters Pension and  
Retirement System; providing for offset; authorizing  
benefit increase for certain retired members of the  
Oklahoma Police Pension and Retirement System;  
providing for offset; authorizing retirement benefit  
increase for certain retired members of the Uniform  
Retirement System for Justices and Judges;  
authorizing retirement benefit increase for certain  
retired members of the Oklahoma Law Enforcement  
Retirement System; providing for offset; authorizing  
retirement benefit increase for certain retired

1 members of the Teachers' Retirement System of  
2 Oklahoma; authorizing retirement benefit increase for  
3 certain retired members of the Oklahoma Public  
4 Employees Retirement System; and providing for  
5 codification.

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

7 SECTION 1. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 49-143.7 of Title 11, unless  
9 there is created a duplication in numbering, reads as follows:

10 A. Except as provided in subsection B of this section and  
11 except for persons receiving benefits pursuant to Section 49-101 of  
12 Title 11 of the Oklahoma Statutes, any person receiving benefits  
13 from the Oklahoma Firefighters Pension and Retirement System as of  
14 December 31, 2018, who continues to receive benefits on or after the  
15 effective date of this act shall receive a two-percent, cost-of-  
16 living-adjustment increase in calendar year 2020 and on such date as  
17 provided in Section 3111 of Title 62 of the Oklahoma Statutes.

18 B. Any increase in benefits a person is eligible to receive  
19 pursuant to subsection C of this section after June 30, 2018, shall  
20 be used to offset the increase in benefits provided in subsection A  
21 of this section.

22 C. Any person receiving a pension who became a member of the  
23 System prior to January 1, 1981, which was based upon a percentage  
24 of the average salary paid to him or her during the last thirty (30)

1 or sixty (60) months of his or her service, shall have such pension,  
2 or the pension of his or her surviving spouse, increased or  
3 decreased by one-half (1/2) of all increases or decreases which  
4 shall occur in the salary of the regular firefighters in the  
5 municipality from which the person is receiving a pension; provided,  
6 that the pension shall never be reduced below the original pension  
7 paid to such person for that purpose. For the purposes of this  
8 subsection, the term "regular firefighters" means salaried  
9 firefighters who have reached their maximum salary as "privates" in  
10 their departments and have not been promoted to a position of rank.  
11 It shall be a violation of this subsection to establish a special  
12 classification for the purpose of evading the intent of this  
13 subsection.

14 D. On the effective date of this act, any persons receiving  
15 benefits pursuant to Section 49-101 of Title 11 of the Oklahoma  
16 Statutes shall each receive a benefit equal to Seven Dollars and  
17 sixty-eight cents (\$7.68) for each year of credited service not to  
18 exceed thirty (30) years of service.

19 SECTION 2. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 50-136.9 of Title 11, unless  
21 there is created a duplication in numbering, reads as follows:

22 A. Except as provided in subsection B of this section, any  
23 person receiving benefits from the Oklahoma Police Pension and  
24 Retirement System as of December 31, 2018, who continues to receive

1 benefits on or after the effective date of this act, shall receive a  
2 two-percent, cost-of-living-adjustment increase in calendar year  
3 2020 and on such date as provided in Section 3111 of Title 62 of the  
4 Oklahoma Statutes.

5 B. Any increase in benefits a person is eligible to receive  
6 pursuant to subsection C of this section after June 30, 2018, shall  
7 be offset by the increase in benefits, if any, provided by this  
8 section.

9 C. The pension of any member or beneficiary of any member whose  
10 membership began prior to January 1, 1981, shall upon the increase  
11 or decrease of the base salary of a regular police officer of a  
12 municipality be adjusted by one-third (1/3) of such increase or  
13 decrease, provided that no pension shall be less than one-third  
14 (1/3) of the base salary of a regular police officer, nor be reduced  
15 to an amount less than the pension at which the officer retired.

16 SECTION 3. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 1104K of Title 20, unless there  
18 is created a duplication in numbering, reads as follows:

19 Any person receiving benefits from the Uniform Retirement System  
20 for Justices and Judges as of December 31, 2018, who continues to  
21 receive benefits on or after the effective date of this act, shall  
22 receive a two-percent, cost-of-living-adjustment increase in  
23 calendar year 2020 and on such date as provided in Section 3111 of  
24 Title 62 of the Oklahoma Statutes.

1 SECTION 4. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 2-305.12 of Title 47, unless  
3 there is created a duplication in numbering, reads as follows:

4 A. Except as provided in subsection B of this section, any  
5 person receiving benefits from the Oklahoma Law Enforcement  
6 Retirement System as of December 31, 2018, who continues to receive  
7 benefits on or after the effective date of this act, shall receive a  
8 two-percent, cost-of-living-adjustment increase in calendar year  
9 2020 on such date as provided in Section 3111 of Title 62 of the  
10 Oklahoma Statutes.

11 B. Any increase in benefits a person is eligible to receive  
12 pursuant to subsection B, C or D of Section 2-305 of Title 47 of the  
13 Oklahoma Statutes, on or after the effective date of this act, shall  
14 be offset by the increase in benefits, if any, provided by this  
15 section.

16 SECTION 5. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 17-116.22 of Title 70, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. Any person receiving benefits from the Teachers' Retirement  
20 System of Oklahoma as of December 31, 2018, other than those  
21 benefits specified in subsection B of this section, who continues to  
22 receive benefits on or after the effective date of this act, shall  
23 receive a two-percent, cost-of-living-adjustment increase in  
24

1 calendar year 2020 and on such date as provided in Section 3111 of  
2 Title 62 of the Oklahoma Statutes.

3 B. Any person receiving benefits pursuant to subsection (3) of  
4 Section 17-105 of Title 70 of the Oklahoma Statutes whose benefits  
5 commenced prior to the effective date of this act, and who continues  
6 to receive benefits on or after the effective date of this act,  
7 shall receive a two-percent, cost-of-living-adjustment increase in  
8 calendar year 2020 and on such date as provided in Section 3111 of  
9 Title 62 of the Oklahoma Statutes.

10 SECTION 6. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 930.11 of Title 74, unless there  
12 is created a duplication in numbering, reads as follows:

13 Any person receiving benefits from the Oklahoma Public Employees  
14 Retirement System as of December 31, 2018, who continues to receive  
15 benefits on or after the effective date of this act, shall receive a  
16 two-percent, cost-of-living-adjustment increase in calendar year  
17 2020 and on such date as provided in Section 3111 of Title 62 of the  
18 Oklahoma Statutes.

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