

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   HOUSE BILL 1729

By: Moore of the House

5                   and

6                   Weaver of the Senate

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9                   AS INTRODUCED

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

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

16                  SECTION 1.        NEW LAW        A new section of law to be codified

17                  in the Oklahoma Statutes as Section 914.1 of Title 74, unless there  
18                  is created a duplication in numbering, reads as follows:

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

23                  1. A retired district attorney or assistant district attorney  
24                  is not eligible to be employed within a district attorney's office,

1   in any capacity, for sixty (60) calendar days between the retiree's  
2   last day of preretirement employment and any postretirement  
3   employment. For purposes of this section, the term "last day of  
4   preretirement employment" shall mean the last day the employee is  
5   required to be physically present on the job to complete the terms  
6   of the employment contract or agreement. An employee on paid leave  
7   is still considered to be employed for purposes of this section.  
8   Employment under any conditions during this time, volunteer services  
9   for the purpose of obtaining a paid position at a later date, or  
10   payment at a later time for services performed during this time  
11   period shall cause the forfeiture of all retirement benefits  
12   received during the period; and

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

1 greater than Twenty-five Thousand Dollars (\$25,000.00). For retired  
2 members sixty-two (62) years of age or older, the limit on allowed  
3 earnings from district attorneys' offices for the performance of  
4 duties ordinarily performed by classified or nonclassified personnel  
5 shall be the lesser of Thirty Thousand Dollars (\$30,000.00) or one-  
6 half (1/2) of the member's final average salary used in computing  
7 retirement benefits. For purposes of this paragraph, the following  
8 shall apply:

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

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

12       SECTION 2. This act shall become effective November 1, 2025.  
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14       COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated  
15       02/27/2025 - DO PASS.  
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