

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1730

By: Moore

6 AS INTRODUCED

7 An Act relating to public retirement systems;
8 amending 74 O.S. 2021, Section 914, which relates to
the Oklahoma Public Employees Retirement System;
9 modifying postretirement provision; and providing an
effective date.

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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:12 SECTION 1. AMENDATORY 74 O.S. 2021, Section 914, is
13 amended to read as follows:

14 Section 914. A. The normal retirement date for a member of the
15 Oklahoma Public Employees Retirement System shall be as defined in
16 Section 902 of this title, provided members employed on or after
17 January 1, 1983, shall have six (6) or more years of full-time-
18 equivalent employment with a participating employer before receiving
19 any retirement benefits or if the member is a legislative session
20 employee of the Legislature, shall have three (3) or more years of
21 full-time-equivalent employment with a participating employer before
22 receiving any retirement benefits. In no event shall a normal
23 retirement date for a member be before six (6) months after the
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1 entry date of the participating employer by whom he or she is
2 employed.

3 B. A member may be employed beyond the normal retirement date
4 by the appointing authority of the participating employer. However,
5 the member may not receive retirement pay so long as the member
6 continues employment under this act. Any member who has terminated
7 employment with a participating employer prior to the month
8 immediately preceding said member's normal retirement date must
9 elect a vested benefit pursuant to Section 917 of this title before
10 receiving any retirement benefits.

11 C. Notice for retirement shall be filed through the retirement
12 coordinator for the participating employer in such form and manner
13 as the Board shall prescribe; provided, that such notice for
14 retirement shall be filed with the office of the retirement system
15 at least sixty (60) days prior to the date selected for the member's
16 retirement; provided further, that the Executive Director may waive
17 the sixty-day notice for good cause shown as defined by the Board.

18 1. The participating employer shall provide the System with the
19 following information for a retiring member, no later than the
20 fifteenth day of the month of retirement: last day physically on
21 the job; last day on payroll; and final unused sick leave balance.

22 2. Failure to submit this information by the deadline, or
23 errors in submitted information that result in a disqualification of
24 retirement eligibility shall be the responsibility of the

1 | participating employer. In cases where the error results in
2 | disqualification of retirement eligibility, it is the participating
3 | employer's responsibility to reemploy the member, or retain the
4 | member on the payroll, for time period required to reach
5 | eligibility, not exceeding two (2) months.

6 | D. No retirement benefits shall be payable to any member until
7 | the first day of the month following the termination of the member's
8 | employment with any participating employer. The type of retirement
9 | benefit selected by a member may not be changed on or after the
10 | effective date of the member's retirement. Receipt of workers'
11 | compensation benefits shall in no respect disqualify the retiree for
12 | benefits.

13 | E. If a retiree should be elected or appointed to any position
14 | or office for which compensation for service is paid from levies or
15 | taxes imposed by the state or any political subdivision thereof, the
16 | retiree shall not receive any retirement benefit for any month for
17 | which the retiree serves in such position or office after the
18 | retiree has received compensation in a sum equal to the amount
19 | allowable as wages or earnings by the Social Security Administration
20 | in any calendar year. This subsection shall not apply to service
21 | rendered by a retiree as a juror, as a witness in any legal
22 | proceeding or action, as an election board judge or clerk, or in any
23 | other office or position of a similar nature, or to an employer that
24 | is not a participating employer. Provided, further, that any

1 | participating employer who is employing such a retiree shall make
2 | proper written notification to the System informing it of the
3 | beginning date of such retiree's employment and the date such
4 | retiree reaches the maximum compensation allowed by this section in
5 | the calendar year. Any retiree returning to work for a
6 | participating employer shall make contributions to the System and
7 | the employer shall do likewise. All retirees who have returned to
8 | employment and participation in the System following retirement
9 | shall have post-retirement benefits calculated on one of the
10 | following methods:

11 | 1. All service accumulated from date of reemployment shall be
12 | computed based on the benefit formula applicable at that time and
13 | the additional benefits shall be added to the previous benefits.
14 | Such additional benefits shall be calculated each year based upon
15 | additional service accrued from July 1 to June 30 of the previous
16 | year and the additional benefit, if any, will be added to the
17 | retiree's monthly benefit beginning January 1, 2000, and each
18 | January 1 thereafter. However, the post-retirement service credit
19 | shall be cumulative, beginning with service credit accrued after the
20 | date of retirement, provided that the retiree has not received a
21 | distribution of the post-retirement contributions.

22 | 2. Any retiree who returns to employment with a participating
23 | employer may elect not to receive any retirement benefits while so
24 | reemployed. If such an election is made and reemployment is for a

1 minimum period of thirty-six (36) consecutive months, all service
2 accumulated from date of reemployment shall be participating
3 service. For purposes of determining the retirement benefits of
4 such a member upon the termination of such reemployment all
5 creditable service of the member shall be computed based on the
6 benefit formula applicable at the time of termination of such
7 reemployment. Provided, a retiree who became reemployed prior to
8 July 1, 1982, and who is reemployed for a minimum of thirty-six (36)
9 consecutive months shall have all the creditable service of such
10 retiree computed based on the benefit formula applicable at the time
11 of termination of such reemployment if the retiree elects not to
12 receive retirement benefits prior to such termination of
13 reemployment. A retiree who has waived receipt of the monthly
14 benefit, but is not reemployed for the full thirty-six (36)
15 consecutive months, shall upon termination of such reemployment have
16 only the additional amount added to his or her benefit as if they
17 had not waived the benefit as provided in paragraph 1 of this
18 subsection.

19 3. All post-retirement additional benefits shall be calculated
20 using actual hours worked as well as the actual compensation
21 received and upon which contributions are paid. Post-retirement
22 service is not subject to the partial year round-up provisions of
23 subsection C of Section 913 of this title.

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1 4. A retired member who returns to work for a participating
2 employer pursuant to this section shall be bound by the election
3 made pursuant to paragraph (2) of subsection A of Section 915 of
4 this title if the member had made such election prior to retirement.
5 If the member had not made such election prior to retirement, the
6 member may do so during the member's reemployment with a
7 participating employer pursuant to this section. A retired member
8 may not be rehired by their former employer, nor may the retired
9 member be permitted to enter into an employment contract of any kind
10 with a former employer, for a period of one (1) year after the
11 retired member ended his or her employment with the former employer
12 unless the retired member waives his or her benefit under paragraph
13 2 of this subsection and returns as a bona fide employee. Provided,
14 however, that a retired court reporter is not eligible to be rehired
15 for a period of sixty (60) days after the retired member ended his
16 or her employment with the former employer unless the retired member
17 waives his or her benefit under paragraph 2 of this subsection and
18 returns as a bona fide employee.

19 F. Except as otherwise provided by subsection G of this
20 section, any member may elect to retire before his or her normal
21 retirement date on the first day of any month coinciding with or
22 following the attainment of age fifty-five (55), provided such
23 member has completed ten (10) years of participating service, but in
24 no event before six (6) months after the entry date. Any member who

1 shall retire before the normal retirement date shall receive an
2 annual retirement benefit adjusted in accordance with the following
3 percentage schedule:

Age	Percentage of Normal Retirement Benefit
62	100.00%
61	93.33%
60	86.67%
59	80.00%
58	73.33%
57	66.67%
56	63.33%
55	60.00%

14 G. Any member whose first participating service occurs on or
15 after November 1, 2011, may elect to retire before his or her normal
16 retirement date on the first day of any month coinciding with or
17 following the attainment of age sixty (60), provided such member has
18 completed ten (10) years of participating service, but in no event
19 before six (6) months after the entry date. Any member who shall
20 retire before the normal retirement date shall receive an annual
21 retirement benefit adjusted in accordance with the following
22 percentage schedule:

Age	Percentage of Normal Retirement Benefit

1	65	100.00%
2	64	93.33%
3	63	86.67%
4	62	80.00%
5	61	73.33%
6	60	66.67%

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

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9 60-1-10390 CMA 12/31/24

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January 8, 2025

Representative Moore
Room 406S

Re: RBH No. 10390

RBH No. 10390 would allow retired court reporters to return to employment after 60 days of retirement and continue to receive retirement benefits.

RBH No. 10390 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