

1 ENGROSSED HOUSE
2 BILL NO. 3939

By: Lepak of the House

and

Quinn of the Senate

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6 An Act relating to the Oklahoma Public Employees
7 Retirement System; amending 74 O.S. 2011, Section
8 918.1, which relates to required distributions;
9 modifying provisions related to date of required
10 distributions; providing an effective date; and
11 declaring an emergency.

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

13 SECTION 1. AMENDATORY 74 O.S. 2011, Section 918.1, is
14 amended to read as follows:

15 Section 918.1 A. All benefits paid from the Oklahoma Public
16 Employees Retirement System shall be distributed in accordance with
17 the requirements of Section 401(a)(9) of the federal Internal
18 Revenue Code and the regulations under that section. In order to
19 meet these requirements, the System shall be administered in
20 accordance with the following provisions:

21 1. Distributions of a member's benefit must begin ~~by the later~~
22 ~~of the April 1 following the calendar year in which a member attains~~
23 ~~age seventy and one-half (70 1/2) or the April 1 of the year~~
24 ~~following the calendar year in which the member retires~~ no later

1 than the date required by Section 401 of the federal Internal
2 Revenue Code;

3 2. The life expectancy of a member or a member's spouse may not
4 be recalculated after the benefits commence;

5 3. If a member dies before the distribution of the member's
6 benefits has begun, distributions to beneficiaries must begin no
7 later than December 31 of the calendar year immediately following
8 the calendar year in which the member died; and

9 4. The amount of benefits payable to a member's joint annuitant
10 or beneficiary may not exceed the maximum determined under the
11 incidental death benefit requirement of the federal Internal Revenue
12 Code.

13 B. Distributions from the System may be made only upon
14 retirement, separation from service, disability or death.

15 SECTION 2. This act shall become effective July 1, 2020.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 3rd day of March, 2020.

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4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2020.

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9 Presiding Officer of the Senate