

# An Act

ENROLLED SENATE  
BILL NO. 1601

By: Rader of the Senate

and

Bush of the House

An Act relating to county employee pension funding; amending 19 O.S. 2021, Sections 954, 957-1, 960, and 961, which relate to maximum contributions for certain entities and payment of certain employer contributions from court funds; authorizing a one-time lump sum contribution in certain circumstances; modifying amount county and court fund may pay into county retirement system; modifying limit of certain total contribution; deleting obsolete language; updating statutory reference; clarifying language; providing an effective date; and declaring an emergency.

SUBJECT: County employee pension

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 954, is amended to read as follows:

Section 954. It shall be the mandatory duty of the board of county commissioners of any county establishing a retirement fund and system to appropriate annually, for the sole use of the retirement fund within its general fund and subject to the approval of the county excise board, a sum which shall be equal to or exceed the contributions made to the retirement fund by the employees. Such appropriation shall not exceed the sum of the current annual salaries of all employees to be covered in the following percentages:

July 1, 2007 - June 30, 2008	13 1/2%
July 1, 2008 - June 30, 2009	14 1/2%
July 1, 2009 - June 30, 2010	15 1/2%
July 1, 2010 - June 30, 2019	16 1/2%
July 1, 2019 - June 30, 2020 and each year thereafter	18 1/2%

Beginning July 1, 2019, the total employer and employee contributions shall not exceed eighteen and one-half percent (18.5%) of the monthly compensation of each member. The governing body of the participating employers listed in this section may vary the percentage contribution of the employer and employee, provided the total percentage contributed by the employer and employee equals the total percentage contribution required by this section. Payment of such shall be paid to the fund upon verified claims by the treasurer of the fund approved by the board of trustees and attested by its clerk. For any contribution made on or after July 1, 2021, to June 30, 2022, of less than eighteen and one-half percent (18.5%), an employer may retroactively make a one-time lump sum contribution of an amount equal to the difference between the actual total contribution that was made and the total contribution amount equal to eighteen and one-half percent (18.5%).

SECTION 2. AMENDATORY 19 O.S. 2021, Section 957-1, is amended to read as follows:

Section 957-1. The county commissioners of any county establishing a drainage district or districts, and establishing a county retirement system, in addition to the duties and authority now provided by law, are hereby authorized to pay into the retirement system of such county for the use and benefit of the employees eligible for retirement benefits, such amounts as the said board of county commissioners may authorize by resolution not exceeding the current annual salaries of all employees ~~to be covered in the following percentages:~~

~~July 1, 2009 - June 30, 2010 15 1/2%~~

~~July 1, 2010 — June 30, 2011~~  
~~and each year thereafter~~ ~~16 1/2%~~

~~Beginning July 1, 2009, the total employer and employee contributions shall not exceed sixteen and one-half percent (16.5%) of the monthly compensation of each member. Provided further, that drainage district employees becoming qualified by this act shall be credited as to eligibility for the full time of their county employment; and, provided further, in the event of retroactive eligibility such employees shall be required to pay into the retirement system fund an amount equal to that which would have otherwise been paid by such employees in order to gain credit for such time of employment. whose salaries are paid either in whole or in part out of the drainage district funds. The total employer and employee contributions shall not exceed the percentages of the monthly compensation of each member set forth in Section 954 of this title.~~

SECTION 3. AMENDATORY 19 O.S. 2021, Section 960, is amended to read as follows:

Section 960. A. In addition to all other items which are now or may hereafter be authorized to be paid from the court fund, it shall be the mandatory duty of the governing board of the court fund to pay annually for the sole use of the retirement system a sum equal to the contributions made to the retirement fund by the employees, but not to exceed the ~~following~~ percentages of the current annual salaries, established in Section 954 of this title, of all employees whose salaries are paid either in whole or in part out of the court funds of such county~~÷~~.

~~July 1, 2009 — June 30, 2010~~ ~~15 1/2%~~

~~July 1, 2010 — June 30, 2011~~  
~~and each year thereafter~~ ~~16 1/2%~~

~~Beginning July 1, 2009, the total employer and employee contributions shall not exceed sixteen and one-half percent (16.5%) of the monthly compensation of each member. The total employer and employee contributions shall not exceed the percentages of the~~

monthly compensation of each member set forth in Section 954 of this title.

B. It shall be the mandatory duty of the governing board of the court fund to pay annually from the court fund to a county retirement system which is not a participant in the Oklahoma Public Employees Retirement System, the employer's contribution for that court reporter who pursuant to the provisions of Section 106.8 of Title 20 of the Oklahoma Statutes, exercised his or her option to continue as a member of the county retirement system following January 13, 1969. The contributions to be so paid shall be limited to the amount provided for in subsection A of this section. The provisions of this subsection shall operate retroactively to take effect on and after January 13, 1969.

SECTION 4. AMENDATORY 19 O.S. 2021, Section 961, is amended to read as follows:

Section 961. In addition to all other items which are now or may hereafter be authorized to be paid from the Law Library Fund, it shall be the mandatory duty of the trustees of the Law Library Fund to pay annually for the sole use of the retirement system a sum equal to the contributions made to the ~~Retirement Fund~~ retirement fund by the employees, but not to exceed the ~~following~~ percentages of the current annual salaries, established in Section 954 of this title, of all employees whose salaries are paid either in whole or in part out of the Law Library Fund of such county.÷

~~July 1, 2009 - June 30, 2010~~ 15 1/2%

~~July 1, 2010 - June 30, 2011~~  
~~and each year thereafter~~ 16 1/2%

~~Beginning July 1, 2009, the total employer and employee contributions shall not exceed sixteen and one-half percent (16.5%) of the monthly compensation of each member. The total employer and employee contributions shall not exceed the percentages of the~~ monthly compensation of each member set forth in Section 954 of this title.

SECTION 5. This act shall become effective July 1, 2022.

SECTION 6. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of March, 2022.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2022.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_