

SENATE FLOOR VERSION
February 21, 2022
AS AMENDED

SENATE BILL NO. 318

By: Taylor of the Senate

and

Ford of the House

An Act relating to police retirement; amending 11 O.S. 2021, Section 50-112, which relates to eligibility; updating statutory reference; modifying age range for eligibility of certain members in the System; **and providing an effective date.**

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 50-112, is amended to read as follows:

Section 50-112. A. All persons employed as full-time duly appointed or elected officers who are paid for working more than twenty-five (25) hours per week or any person hired by a participating municipality who is undergoing police training to become a permanent police officer of the municipality shall participate in the Oklahoma Police Pension and Retirement System upon initial employment with a police department of a participating municipality. All such persons shall submit to a physical-medical examination pertaining to sight, hearing, agility and other conditions the requirements of which shall be established by the

1 ~~State Board~~ Oklahoma Police Pension and Retirement Board. The
2 person shall be required to complete this physical-medical
3 examination prior to the beginning of actual employment. This
4 examination shall identify any preexisting conditions. Except as
5 otherwise provided in this section, a police officer shall be not
6 less than twenty-one (21) nor more than ~~forty-five (45)~~ fifty (50)
7 years of age when accepted for membership in the System. However,
8 if a municipality should be found to be in noncompliance with the
9 provisions of Article 50 of this title, as determined by the State
10 Board, then any current full-time active police officer employed by
11 a municipality as of July 1, 2001, shall not be denied eligibility
12 to participate in the ~~Oklahoma Police Pension and Retirement~~ System
13 solely due to age. The State Board shall have authority to deny or
14 revoke membership of any person submitting false information in such
15 person's membership application. The State Board shall have final
16 authority in determining eligibility for membership in the System,
17 pursuant to the provisions of this article.

18 B. The police chief of any participating municipality may be
19 exempt from membership in the System or may become a member provided
20 the member is not a retired member and the requirements of this
21 section are met at the time of employment.

22 C. A member of the System who has attained his or her normal
23 retirement date may, if the member so elects, agree to terminate
24 employment and retire as a member of the System and make an election

1 to receive distributions from the System. If a retired member is
2 reemployed by a participating municipality in the position of police
3 chief or in a position which is not covered by the System,
4 retirement shall include receipt by such retired member of in-
5 service distributions from the System.

6 D. A former member of the System who terminates from covered
7 employment and who has neither retired from the System nor entered
8 the Oklahoma Police Deferred Option Plan and is later employed in a
9 covered position with a participating municipality shall not be
10 denied eligibility to become a member of the System because he or
11 she is ~~forty-five (45)~~ fifty (50) years of age or older. If such
12 member has withdrawn his or her contributions prior to re-entering
13 the System and the member desires to receive credit for such prior
14 service, then the member shall pay back such contributions and
15 interest pursuant to Section 50-111.1 of this title.

16 E. Notwithstanding any other provision of law to the contrary,
17 a municipality that employs two (2) or fewer full-time police
18 officers may employ a police officer who is more than ~~forty-five~~
19 ~~(45)~~ fifty (50) years of age and who has never participated in the
20 ~~Oklahoma Police Pension and Retirement~~ System, but such police
21 officer shall not be eligible to participate in the System. Such
22 police officer shall be counted in the limitation imposed by this
23 subsection. Notwithstanding any other provisions of law, the State
24 Board shall be granted access to information concerning a list of

1 actively working police officers within the municipalities and
2 agencies under the purview provided by the Council on Law
3 Enforcement Education and Training.

4 **SECTION 2. This act shall become effective September 1, 2022.**

5 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
6 February 21, 2022 - DO PASS AS AMENDED
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