

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 515

By: Bice

AS INTRODUCED

An Act relating to police retirement; amending 11 O.S. 2011, Section 50-112, which relates to participation in the Oklahoma Police Pension and Retirement System; adding certain exemption from system participation.

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

SECTION 1. AMENDATORY 11 O.S. 2011, 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 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 State Board. The person shall be

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

17 B. The police chief of any participating municipality and one  
18 additional employee, as selected by the participating municipality,  
19 may be exempt from membership in the System or may become a member  
20 provided the member is not a retired member and the requirements of  
21 this 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) years of age or older. If such member has  
12 withdrawn his or her contributions prior to re-entering the System  
13 and the member desires to receive credit for such prior service,  
14 then the member shall pay back such contributions and interest  
15 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) years of age and who has never participated in the Oklahoma  
20 Police Pension and Retirement System, but such police officer shall  
21 not be eligible to participate in the System. Such police officer  
22 shall be counted in the limitation imposed by this subsection.

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