

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 873

By: Jett

AS INTRODUCED

An Act relating to the Oklahoma Law Enforcement Retirement System; providing for certain new hires of the Department of Corrections to be offered certain irrevocable election; directing certain electing employee and the Department to begin contributions to System on specific date; providing for certain active and qualifying employees to have opportunity to make certain irrevocable election to the System by specific date; directing Oklahoma Public Employees Retirement System to transfer certain funds and records to Oklahoma Law Enforcement Retirement System after certain election; requiring certain transferring employee to pay certain amount to Oklahoma Law Enforcement Retirement System for accrued service credit; providing for certain credited service to be accrued to Oklahoma Law Enforcement Retirement System for determination of certain retirement date and vesting information; requiring certain service credit with Oklahoma Public Employees Retirement System be canceled; and providing for codification.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-309.10 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. 1. Effective July 1, 2024, any person who is hired by the Department of Corrections, or the Probation and Parole Division or

1 Inspector General Division of the Department and who are certified  
2 by the Council on Law Enforcement Education and Training (CLEET) may  
3 make an election to participate in and make contributions to the  
4 Oklahoma Law Enforcement Retirement System. Employees making an  
5 election under this subsection shall make an irrevocable written  
6 election to participate in the System and shall file the written  
7 election with the Oklahoma Law Enforcement Retirement System.  
8 Beginning the first day of the month following a written election  
9 filed under this subsection, the Department and employee shall  
10 participate in and make contributions to the System.

11 2. Active employees of the Department who are actively  
12 contributing to the Oklahoma Public Employees Retirement System who  
13 would otherwise be eligible to participate in the Oklahoma Law  
14 Enforcement Retirement System pursuant to this subsection shall, not  
15 later than thirty (30) days following the effective date of this  
16 act, make an irrevocable written election to cease accruing benefits  
17 in the Oklahoma Public Employees Retirement System and commence  
18 accruing benefits with the Oklahoma Law Enforcement Retirement  
19 System.

20 B. Within thirty (30) days following the election of an  
21 existing employee under paragraph 2 of subsection A of this section,  
22 the Oklahoma Public Employees Retirement System shall cause transfer  
23 to the Oklahoma Law Enforcement Retirement System all funds  
24 contributed by the individual members being transferred and all

1 funds contributed by the state for such members. The Oklahoma  
2 Public Employees Retirement System shall also deliver the retirement  
3 records of any transferred member to the Oklahoma Law Enforcement  
4 Retirement System.

5 C. To receive service credit accrued by an employee of the  
6 Department prior to the election to join the Oklahoma Law  
7 Enforcement Retirement System, or prior to the date as of which the  
8 employee ceases to be a member of the Oklahoma Public Employees  
9 Retirement System, whichever date occurs later, the employee shall  
10 pay the difference between the amount transferred by the Oklahoma  
11 Public Employees Retirement System to the Oklahoma Law Enforcement  
12 Retirement System pursuant to this act and the amount determined by  
13 the Board of Trustees pursuant to Section 2-307.5 of Title 47 of the  
14 Oklahoma Statutes. The employee shall elect to either pay any  
15 difference to receive full credit for the years sought to be  
16 transferred or receive prorated service credit for only the amount  
17 received from the Oklahoma Public Employees Retirement System  
18 pursuant to this subsection. Payments made by electing employees  
19 under this subsection shall be made pursuant to subsection B of  
20 Section 2-307.5 of Title 47 of the Oklahoma Statutes.

21 D. 1. Service credit accrued by an employee of the Department  
22 while a member of the Oklahoma Public Employees Retirement System  
23 shall be treated as credited service for the transferring employee  
24 if the employee is not receiving or eligible to receive service

1 credit or benefits in any other public retirement system in this  
2 state and the member has not received service credit for the same  
3 years as service pursuant to Sections 2-307.1, 2-307.3, and 2-307.4  
4 of Title 47 of the Oklahoma Statutes. Provided further, only  
5 credited service relating to service with the Department of  
6 Corrections as a CLEET certified personnel shall be included in the  
7 determination of an employee's normal retirement date or vesting  
8 date within the Oklahoma Law Enforcement Retirement System.

9 2. All service credit with the Oklahoma Public Employees  
10 Retirement System which is ineligible for transfer to the Oklahoma  
11 Law Enforcement Retirement System shall be canceled.

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