An Act

ENROLLED HOUSE
BILL NO. 2005

By: Sanders, Bennett, Roberts (Dustin), Sherrer, Cockroft, Hoskin and Murphey of the House

and

Griffin of the Senate

An Act relating to the Oklahoma Firefighters Pension and Retirement System; amending 11 O.S. 2011, Section 49-135, as amended by Section 7, Chapter 281, O.S.L. 2014 (11 O.S. Supp. 2014, Section 49-135), which relates to certain age restriction; providing certain volunteer firefighters excluded from eligibility and membership in retirement system; prohibiting benefits; requiring certain persons to make final determination regarding volunteer firefighting services; specifying basis for determination; and providing an effective date.

SUBJECT: Oklahoma Firefighters Pension and Retirement System

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 49-135, as amended by Section 7, Chapter 281, O.S.L. 2014 (11 O.S. Supp. 2014, Section 49-135), is amended to read as follows:

Section 49-135. A. No person shall be employed in a fire department who has reached the age of forty-five (45) years, unless it appears he or she shall become eligible for retirement at the age of sixty-five (65) years, or at the age of sixty-seven (67) years for a firefighter whose first service with a participating employer of the System occurs on or after November 1, 2013, or unless he or she be retired from a municipal fire department in the State of

Oklahoma. This section shall not apply to professional engineers, or to persons employed as technical specialists on a temporary basis. The State Board shall be authorized to establish the maximum age, within the limits herein prescribed, over which an applicant may not be considered for initial employment, but no person shall be prohibited from making application for reemployment and having such reemployment application considered merely because of his or her age, provided that such person be under the age of forty-five (45) years, and provided further, that such reemployment shall be with the consent of the fire chief of such municipality.

B. On or after the effective date of this act, a person who performs volunteer services as a firefighter, who has attained the age of forty-five (45) or more years as of the first date such volunteer services are performed, for a municipality or a county shall not be eligible to be a member of the Oklahoma Firefighters Pension and Retirement System for any purpose, shall not be eligible for any benefit payable by the System and shall not receive any form of service credit from the System resulting from such volunteer services. The person responsible for decisions regarding the performance of firefighting services having jurisdiction, which in the absence of any other requirement to the contrary shall be the Fire Chief, shall make the final determination on applicants for positions that would involve the performance of volunteer firefighting services if the applicant is over the age of forty-five (45) years based on local rules, regulations, ordinances, guidelines and standard operating procedures.

SECTION 2. This act shall become effective November 1, 2015.

Passed the House of Representatives the 5th day of March, 2015.

Presiding Officer of the House
of Representatives

Passed the Senate the 14th day of April, 2015.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 15th
day of April, 20 15, at 2:00 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 21st
day of April, 20 15, at 1:40 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st
day of April, 20 15, at 3:19 o'clock P. M.
By: Chris Benge

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January 20, 2015

Representative Mike Sanders
Room 205

Re: RBH No. 5251

RBH No. 5251 remove the maximum entry age for volunteer firefighters into the Oklahoma Firefighter Pension and Retirement System who begin service after 11/15/2015.

Currently all new firefighters must be able to retire by age 67. This bill would increase the disability risk as the new volunteers work beyond age 67.

RBH No. 5251 is a retirement bill having a fiscal impact as defined by the Oklahoma Pension Legislation Analysis Act.

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February 27, 2015

Representative Mike Sanders
Room 205

Re: Proposed Committee Substitute for House Bill No. 2005
RBH No. 7028

Committee Substitute for House Bill No. 2005 prevents any volunteer firefighter who begins service on or after age 45 from becoming a participant in the Oklahoma Firefighters Pension and Retirement System.

Committee Substitute for House Bill No. 2005 is a nonfiscal retirement bill as defined by the Oklahoma Pension Legislation Actuarial Analysis Act.

Thomas E. Cummins

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