

1 ENGROSSED HOUSE  
2 BILL NO. 3938

By: Lepak of the House

and

Quinn of the Senate

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7 An Act relating to the Uniform Retirement System for  
8 Justices and Judges; amending 20 O.S. 2011, Section  
9 1104.2, which relates to distribution requirements;  
10 modifying provisions related to date of required  
11 distributions; providing an effective date; and  
12 declaring an emergency.

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

14 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1104.2, is  
15 amended to read as follows:

16 Section 1104.2 A. All benefits paid from the System shall be  
17 distributed in accordance with the requirements of Section 401(a)(9)  
18 of the federal Internal Revenue Code and the regulations under that  
19 section. In order to meet these requirements, the System shall be  
20 administered in accordance with the following provisions:

21 1. Distributions of a member's benefits must begin ~~by the later~~  
22 ~~of the April 1 following the calendar year in which a member attains~~  
23 ~~age seventy and one-half (70 1/2) or the April 1 of the year~~  
24 ~~following the calendar year in which the member retires~~ no later

1 than the date required by Section 401 of the federal Internal  
2 Revenue Code;

3 2. The life expectancy of a member or a member's spouse may not  
4 be recalculated after the benefits commence;

5 3. If a member dies before the distribution of the member's  
6 benefits has begun, distributions to beneficiaries must begin no  
7 later than December 31 of the calendar year immediately following  
8 the calendar year in which the member died; and

9 4. The amount of benefits payable to a member's beneficiary may  
10 not exceed the maximum determined under the incidental death benefit  
11 requirement of the federal Internal Revenue Code.

12 B. Except as otherwise provided in Section 1102 of ~~Title 20 of~~  
13 ~~the Oklahoma Statutes~~ this title, distributions from the System may  
14 be made only upon retirement, separation from service, disability or  
15 death.

16 SECTION 2. This act shall become effective July 1, 2020.

17 SECTION 3. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 3rd day of March, 2020.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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9 Presiding Officer of the Senate