

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3938

By: Lepak of the House

and

Quinn of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the Uniform Retirement System for
12 Justices and Judges; amending 20 O.S. 2011, Section
13 1104.2, which relates to distribution requirements;
14 modifying provisions related to date of required
distributions; providing an effective date; and
declaring an emergency.

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

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

21 Section 1104.2 A. All benefits paid from the System shall be
22 distributed in accordance with the requirements of Section 401(a)(9)
23 of the federal Internal Revenue Code and the regulations under that
24

1 section. In order to meet these requirements, the System shall be
2 administered in accordance with the following provisions:

3 1. Distributions of a member's benefits must begin ~~by the later~~
4 ~~of the April 1 following the calendar year in which a member attains~~
5 ~~age seventy and one-half (70 1/2) or the April 1 of the year~~
6 ~~following the calendar year in which the member retires~~ no later
7 than the date required by Section 401 of the federal Internal
8 Revenue Code;

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

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

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

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

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

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON BANKING, FINANCIAL SERVICES AND
5 PENSIONS, dated 02/26/2020 - DO PASS, As Amended and Coauthored.

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