

House Bill 3128

Sponsored by Representative NOBLE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that persons employed by participating public employers may not become members of pension program or individual account program of Oregon Public Service Retirement Plan on or after January 1, 2020.

A BILL FOR AN ACT

1
2 Relating to the Oregon Public Service Retirement Plan; amending ORS 238A.100 and 238A.300.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 238A.100 is amended to read:

5 238A.100. (1)(a) Except as provided by [*subsection (2)*] **subsections (2) and (3)** of this section,
6 an eligible employee who is employed in a qualifying position on or after August 29, 2003, by a
7 public employer that is participating in the pension program and who will not receive benefits under
8 ORS chapter 238 for service with the participating public employer pursuant to the provisions of
9 ORS 238A.025 becomes a member of the pension program on the first day of the month after the
10 employee completes six full calendar months of employment. The six-month requirement may not be
11 interrupted by more than 30 consecutive working days.

12 (b) Employer contributions for new members of the pension program shall first be made under
13 ORS 238A.220 for those wages that are attributable to services performed by the employee during
14 the first full pay period following the six-month period, without regard to when those wages are
15 considered earned for other purposes under this chapter.

16 (2) A person who is elected or appointed to an office with a fixed term other than as a member
17 of the Legislative Assembly, or who is appointed by the Governor to an office as head of a depart-
18 ment, may elect not to become a member of the pension program by giving the Public Employees
19 Retirement Board written notice not later than 30 days after taking office. An election under this
20 subsection also operates as an election not to become a member of the individual account program.
21 An election under this subsection is irrevocable during the term of office for which the election is
22 made.

23 **(3) Notwithstanding subsection (1) of this section, a person may not become a member**
24 **of the pension program on or after January 1, 2020.**

25 **SECTION 2.** ORS 238A.300 is amended to read:

26 238A.300. (1) Except as provided in ORS 238A.100 (2) and [*subsection (2)*] **subsections (2) and**
27 **(3)** of this section, an eligible employee who is employed in a qualifying position on or after August
28 29, 2003, by a public employer that is participating in the individual account program and who will
29 not receive benefits under ORS chapter 238 for service with the participating public employer pur-
30 suant to the provisions of ORS 238A.025 becomes a member of the individual account program on
31 the first day of the month after the employee completes six full calendar months of employment. The

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 six-month probationary period may not be interrupted by more than 30 consecutive working days.

2 (2) An inactive member of the pension program who terminated membership in the individual
3 account program pursuant to ORS 238A.310 (2) becomes a member of the individual account program
4 immediately upon reemployment in a qualifying position.

5 **(3) Notwithstanding subsection (1) of this section and except as provided in subsection**
6 **(2) of this section, a person may not become a member of the individual account program**
7 **on or after January 1, 2020.**

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