

## HOUSE AMENDMENTS TO HOUSE BILL 2283

By COMMITTEE ON EMERGENCY MANAGEMENT, GENERAL GOVERNMENT, AND  
VETERANS

April 10

1 On page 1 of the printed bill, line 3, after the last comma insert “238A.165.”.

2 On page 9, line 1, delete “and”.

3 In line 4, delete the period and insert “; and

4 “(F) The full amount of required employee contributions under ORS 657B.150 that are paid by  
5 the employer on behalf of its employees under ORS 657B.150 (5).”.

6 On page 12, after line 11, insert:

7 “(H) The full amount of required employee contributions under ORS 657B.150 that are paid by  
8 the employer on behalf of its employees under ORS 657B.150 (5).”.

9 In line 12, delete “(H)” and insert “(I)”.

10 On page 22, after line 33, insert:

11 “(4) Retirement credit for the period of disability under this section shall be classified the same  
12 as the member’s last qualifying position prior to the disability.”.

13 In line 34, restore the bracketed material and delete the boldfaced material.

14 On page 25, delete lines 3 through 22 and insert:

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16

### “RETIREMENT AGE

17

18 “**SECTION 18.** ORS 238A.160 is amended to read:

19 “238A.160. (1) Except as provided in subsections (2) and (3) of this section, normal retirement  
20 age for a member of the pension program is the earlier of:

21 “(a) 65 years of age; or

22 “(b) 58 years of age if the member has 30 years or more of retirement credit.

23 “(2)(a) Normal retirement age for a member of the pension program who retires from service  
24 as a police officer or firefighter, and [*who has held a position as a police officer or firefighter con-*  
25 *tinuously for a period of not less than five years immediately preceding the effective date of*  
26 *retirement*] **whose last 60 months of retirement credit preceding retirement eligibility under**  
27 **this section is classified as retirement credit for service as a police officer or a firefighter,**  
28 is the earlier of:

29 “[(a)] (A) 60 years of age; or

30 “[(b)] (B) 53 years of age if the member has 25 years or more of retirement credit.

31 “(b) **A member who establishes retirement eligibility under this subsection retains re-**  
32 **tirement eligibility as a police officer or firefighter, even if the member performs service**  
33 **thereafter only as other than a police officer or firefighter.**

34 “(c) **A period of leave from a position as a police officer or firefighter for which a member**  
35 **is entitled to retirement credit for service as a police officer or firefighter and which is part**

1 of the member's last 60 months of retirement credit preceding retirement eligibility under  
2 this section shall be counted as part of the last 60 months of retirement credit required for  
3 retirement eligibility under this section.

4 "(d) Retirement credit for a month in which a member performs service as both a police  
5 officer or firefighter and as other than a police officer or firefighter shall be classified as  
6 retirement credit for service as a police officer or firefighter for purposes of this section.

7 "(e) A member employed as a police officer or firefighter is not required to restart the  
8 last 60 months of retirement credit required for retirement eligibility under this section  
9 when the member:

10 "(A) Is on unpaid leave from the member's position as a police officer or firefighter and  
11 is receiving insurance payments for short-term or long-term disability for which retirement  
12 credit is not available under ORS 238A.155; and

13 "(B) Is concurrently employed and performing service as other than a police officer or  
14 firefighter.

15 "(3) Normal retirement age for a member of the pension program who retires from service as a  
16 school employee as defined by ORS 238A.140 is the earlier of:

17 "(a) 65 years of age; or

18 "(b) 58 years of age if the member has been an active member in 30 or more calendar years.

19 "(4) The normal retirement date of a member is the first day of the month beginning on or after  
20 the date the member reaches normal retirement age.

21 "**SECTION 19.** ORS 238A.165 is amended to read:

22 "238A.165. (1) Except as provided in this section, earliest retirement age for a member of the  
23 pension program is 55 years of age.

24 "(2)(a) Earliest retirement age for a member of the pension program who retires from service  
25 as a police officer or firefighter is 50 years of age if the [*member has held a position as a police of-*  
26 *ficer or firefighter continuously for a period of not less than five years immediately before the effective*  
27 *date of retirement*] **member's last 60 months of retirement credit preceding retirement eligi-**  
28 **bility under this section is classified as retirement credit for service as a police officer or a**  
29 **firefighter.** Earliest retirement date for a member described in this subsection is not later than the  
30 date the member reaches 55 years of age.

31 "(b) A member who establishes retirement eligibility under this subsection retains re-  
32 tirement eligibility under this section as a police officer or firefighter, even if the member  
33 performs service thereafter only as other than a police officer or firefighter.

34 "(c) A period of leave from a position as a police officer or firefighter for which a member  
35 is entitled to retirement credit for service as a police officer or firefighter and which is part  
36 of the member's last 60 months of retirement credit preceding retirement eligibility under  
37 this section shall be counted as part of the last 60 months of retirement credit required for  
38 retirement eligibility under this section.

39 "(d) Retirement credit for a month in which a member performs service as both a police  
40 officer or firefighter and as other than a police officer or firefighter shall be classified as  
41 retirement credit for service as a police officer or firefighter for purposes of this section.

42 "(e) A member employed as a police officer or firefighter is not required to restart the  
43 last 60 months of retirement credit required for retirement eligibility under this section  
44 when the member:

45 "(A) Is on unpaid leave from the member's position as a police officer or firefighter and

1 is receiving insurance payments for short-term or long-term disability for which retirement  
2 credit is not available under ORS 238A.155; and

3 **“(B) Is concurrently employed and performing service as other than a police officer or  
4 firefighter.**

5 **“(3) If a member of the pension program has 25 years or more of retirement credit as a tele-  
6 communicator, as defined in ORS 181A.355, earliest retirement age for the member is 55 years of  
7 age or the age of the member when the member acquires a total of 25 years or more of retirement  
8 credit as a telecommunicator, whichever occurs first. A member who retires under this subsection  
9 before attaining the age of 55 shall not receive a cost-of-living adjustment under ORS 238A.210 until  
10 the member attains the age of 55.**

11 **“(4) A member of the pension program who has reached earliest retirement age may retire on  
12 an early retirement date that is the first day of any month on or after the member has reached  
13 earliest retirement age.”.**

14 In line 26, delete “19” and insert “20”.

15 After line 45, insert:

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17 **“TREATMENT OF CERTAIN BENEFITS**

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19 **“SECTION 21. Section 22 of this 2023 Act is added to and made a part of ORS chapter 238.**

20 **“SECTION 22. (1) Notwithstanding any other provision of this chapter or ORS chapter  
21 238A, and except as provided in subsection (2) of this section, benefits received by a member  
22 under ORS 657.370 to 657.390 or ORS chapter 657B shall be treated as salary, and a member  
23 receiving benefits under ORS chapter 657B shall receive creditable service for the period for  
24 which the benefits are received.**

25 **“(2) A member may not receive creditable service under this section if the member will  
26 otherwise receive creditable service under this chapter or ORS chapter 238A.**

27 **“(3) Creditable service received under this section shall be treated as if the member  
28 performed service in the qualifying position for which the benefits are received.**

29 **“SECTION 23. Section 24 of this 2023 Act is added to and made a part of ORS chapter  
30 238A.**

31 **“SECTION 24. (1) Notwithstanding any other provision of this chapter or ORS chapter  
32 238, and except as provided in subsection (2) of this section, benefits received by a member  
33 under ORS 657.370 to 657.390 or ORS chapter 657B shall be treated as salary, and a member  
34 receiving benefits under ORS chapter 657B shall receive retirement credit for the period for  
35 which the benefits are received.**

36 **“(2) A member may not receive retirement credit under this section if the member will  
37 otherwise receive retirement credit under this chapter or ORS chapter 238.**

38 **“(3) Retirement credit received under this section shall be treated as if the member  
39 performed service in the qualifying position for which the benefits are received.”.**

40 On page 26, line 3, delete “20” and insert “25”.

41 After line 10, insert:

42 **“(4) Sections 22 and 24 of this 2023 Act apply to shared work benefits paid under ORS 657.370  
43 to 657.390 on or after March 1, 2020.”.**

44 In line 14, delete “21” and insert “26”.

45 On page 27, line 5, delete “22” and insert “27”.

