

Enrolled
House Bill 2296

Sponsored by Representative GRAYBER; Representatives DEXTER, HIEB, LEVY E, MARSH, PHAM H, RUIZ, Senators DEMBROW, SOLLMAN (Presession filed.)

CHAPTER

AN ACT

Relating to reemployment of retired members of the Public Employees Retirement System; amending section 3, chapter 499, Oregon Laws 2007, section 3, chapter 475, Oregon Laws 2015, section 4, chapter 6, Oregon Laws 2016, and sections 35, 37 and 38, chapter 355, Oregon Laws 2019.

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

SECTION 1. Section 35, chapter 355, Oregon Laws 2019, as amended by section 2, chapter 135, Oregon Laws 2021, is amended to read:

Sec. 35. (1) Notwithstanding ORS 237.650 and any provision of this chapter and subject to the limitations in this section, during [*calendar year 2020, 2021, 2022, 2023 or 2024,*] **any calendar year through calendar year 2034**, a participating public employer may employ any retired member without limitation on the hours worked by the retired member if the administrative head of the public employer is satisfied that the employment is in the public interest.

(2) A public employer that employs a retired member during [*calendar year 2020, 2021, 2022, 2023 or 2024*] **any calendar year through calendar year 2034**, shall contribute to the Public Employees Retirement Board the percentage of the member’s wages that would have been contributed to the board under ORS 238.225 if the member were an active member of the Public Employees Retirement System. Employer contributions made under this section are in addition to employer contributions made under ORS 238.225. The board shall apply contributions made by a public employer under this subsection against the liabilities of the public employer. The board shall adopt rules governing payments made under this subsection.

(3) This section does not apply to any member who retires under the provisions of ORS 238.280 (1), (2) or (3), unless the person is absent from employment with all participating public employers for at least six months before the date the person is employed under this section.

(4) Employment under this section does not affect the status of a person as a retired member of the system and a recipient of retirement benefits under this chapter.

SECTION 2. Section 37, chapter 355, Oregon Laws 2019, as amended by section 3, chapter 135, Oregon Laws 2021, is amended to read:

Sec. 37. (1) Notwithstanding ORS 237.650 and any provision of this chapter and subject to the limitations in this section, during [*calendar year 2020, 2021, 2022, 2023 or 2024,*] **any calendar year through calendar year 2034**, a participating public employer may employ any retired member without limitation on the hours worked by the retired member if the administrative head of the public employer is satisfied that the employment is in the public interest. The Public Employees Retirement Board shall continue making pension payments to a retired member of the pension program who is reemployed under this section.

(2) A public employer that employs a retired member during [*calendar year 2020, 2021, 2022, 2023 or 2024*] **any calendar year through calendar year 2034**, shall contribute to the board the percentage of the member's wages that would have been contributed to the board under ORS 238A.220 if the member were an active member of the Public Employees Retirement System. Employer contributions made under this section are in addition to employer contributions made under ORS 238A.220. The board shall apply contributions made by a public employer under this subsection against the liabilities of the public employer. The board shall adopt rules governing payments made under this subsection.

(3) This section does not apply to any member who retires under the provisions of ORS 238A.185, unless the person is absent from employment with all participating public employers for at least six months before the date the person is employed under this section.

(4) Employment under this section does not affect the status of a person as a retired member of the pension program and a recipient of retirement benefits under this chapter.

SECTION 3. Section 38, chapter 355, Oregon Laws 2019, is amended to read:

Sec. 38. [*Sections 35 and 37 of this 2019 Act are repealed on January 2, 2025.*]

(1) Section 35, chapter 355, Oregon Laws 2019, as amended by section 2, chapter 135, Oregon Laws 2021, and section 1 of this 2023 Act, is repealed on January 2, 2035.

(2) Section 37, chapter 355, Oregon Laws 2019, as amended by section 3, chapter 135, Oregon Laws 2021, and section 2 of this 2023 Act, is repealed on January 2, 2035.

SECTION 4. Section 3, chapter 499, Oregon Laws 2007, as amended by section 1, chapter 108, Oregon Laws 2015, is amended to read:

Sec. 3. Section 2, chapter 499, Oregon Laws 2007, is repealed [*January 2, 2026*] **on the effective date of this 2023 Act.**

SECTION 5. Section 4, chapter 6, Oregon Laws 2016, is amended to read:

Sec. 4. Section 2 [*of this 2016 Act is repealed January 2, 2026*], **chapter 6, Oregon Laws 2016, is repealed on the effective date of this 2023 Act.**

SECTION 6. Section 3, chapter 475, Oregon Laws 2015, as amended by section 1, chapter 48, Oregon Laws 2018, is amended to read:

Sec. 3. Section 2, chapter 475, Oregon Laws 2015, is repealed on [*June 30, 2023*] **the effective date of this 2023 Act.**

Passed by House March 27, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate April 27, 2023

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Rob Wagner, President of Senate

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Shemia Fagan, Secretary of State