

HB 4045-6
(LC 89)
2/9/24 (MNJ/ps)

Requested by HOUSE COMMITTEE ON EMERGENCY MANAGEMENT, GENERAL GOVERNMENT, AND VETERANS (at the request of Representative Dacia Grayber)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4045**

1 On page 3 of the printed bill, line 30, after “officers” insert “, forensic
2 scientists or evidence technicians”.

3 On page 16, delete lines 44 and 45 and delete page 17 and insert:

4 **“SECTION 12. The Public Employees Retirement Board shall study
5 the likely liability of participating public employers for members in
6 hazardous positions, as defined in ORS 238A.005, as amended by section
7 2 of this 2024 Act. The board shall submit a report in the manner
8 provided by ORS 192.245, and shall include recommendations for im-
9 plementation of benefits for members working in hazardous positions,
10 to the interim committees of the Legislative Assembly related to pub-
11 lic employee retirement no later than September 15, 2028.**

12 **“SECTION 13. (1) Section 12 of this 2024 Act becomes operative on
13 July 1, 2027.**

14 **“(2) Section 12 of this 2024 Act is repealed on January 2, 2030.**

15 **“SECTION 14. The Public Employees Retirement Board shall report
16 at each odd-numbered year regular session, in writing or in person,
17 to a committee of the Legislative Assembly related to public employee
18 retirement on progress toward implementing the amendments to ORS
19 238A.005, 238A.125, 238A.134, 238A.160, 238A.220, 238A.240, 338.135, 352.138
20 and 353.100 by sections 2, 3 and 5 to 11 of this 2024 Act. The report must
21 include the impact of any delays occurring as a result of other ongoing**

1 projects of the board.

2 **“SECTION 15.** Section 14 of this 2024 Act is repealed on January 2,
3 2030.

4 **“SECTION 16.** (1) The amendments to ORS 238.005 by section 1 of
5 this 2024 Act apply only to a person who:

6 **“(a)** Is employed as a district attorney, or as a forensic scientist or
7 evidence technician by the Department of State Police, on the effective
8 date of this 2024 Act; or

9 **“(b)** Becomes employed as a district attorney, or as a forensic sci-
10 entist or evidence technician by the Department of State Police, after
11 the effective date of this 2024 Act.

12 **“(2)** A person who is employed as a district attorney, or as a
13 forensic scientist or evidence technician by the Department of State
14 Police, on or after the effective date of this 2024 Act is entitled to
15 service under the Public Employees Retirement System as a police
16 officer only for service performed as a district attorney, or as a
17 forensic scientist or evidence technician for the Department of State
18 Police, on or after the effective date of this 2024 Act.

19 **“SECTION 17.** The amendments to ORS 238A.160 by section 4 of this
20 2024 Act apply to members of the Oregon Public Service Retirement
21 Plan whose effective date of retirement is on or after the effective date
22 of this 2024 Act.

23 **“SECTION 18.** (1) The amendments to ORS 238A.005, 238A.125,
24 238A.134, 238A.160, 238A.220, 238A.240, 338.135, 352.138 and 353.100 by
25 sections 2, 3 and 5 to 11 of this 2024 Act become operative on January
26 1, 2030.

27 **“(2)** The amendments to ORS 238A.125 by section 3 of this 2024 Act
28 apply only to service in a hazardous position performed on or after the
29 operative date specified in subsection (1) of this section.

30 **“(3)** A member is of normal retirement age for purposes of ORS

1 **238A.160 (3), as amended by section 5 of this 2024 Act, if the member,**
2 **on or after the operative date specified in subsection (1) of this section:**

3 **“(a) Meets the age or age and retirement credit requirements of**
4 **ORS 238A.160 (3);**

5 **“(b) Was last employed in a qualifying position that is a hazardous**
6 **position; and**

7 **“(c) Has accrued their last 60 months of retirement credit in one**
8 **or more positions that qualify or would qualify as hazardous positions,**
9 **as defined in ORS 238A.005, as amended by section 2 of this 2024 Act.**

10 **“(4) Any member who would have established retirement eligibility**
11 **under ORS 238A.160 (3), had the amendments to ORS 238A.160 (3) by**
12 **section 5 of this 2024 Act become operative on January 1, 2019, is eli-**
13 **gible to retire under ORS 238A.130 (3) on and after January 1, 2030.**
14 **Service before January 1, 2019, may not be used to establish retirement**
15 **eligibility under this subsection.**

16 **“(5) The Public Employees Retirement Board may take any action**
17 **before the operative date specified in subsection (1) of this section to**
18 **enable the board to exercise, on and after the operative date specified**
19 **in subsection (1) of this section, all of the duties, functions and powers**
20 **conferred on the board by the amendments to ORS 238A.005, 238A.125,**
21 **238A.134, 238A.160, 238A.220, 238A.240, 338.135, 352.138 and 353.100 by**
22 **sections 2, 3 and 5 to 11 of this 2024 Act.”.**

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