

## HB 2728 STAFF MEASURE SUMMARY

### House Committee On Labor and Workplace Standards

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**Action Date:** 03/05/25

**Action:** Do pass. Refer to Ways and Means.

**Vote:** 4-3-0-0

**Yeas:** 4 - Fragala, Grayber, Munoz, Nelson

**Nays:** 3 - Boshart Davis, Elmer, Scharf

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Erin Seiler, LPRO Analyst

**Meeting Dates:** 2/17, 3/5

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#### WHAT THE MEASURE DOES:

The measure requires the Public Employees Retirement System (PERS) to include in the written computation of the retirement allowance or benefit an Oregon Public Service Retirement Plan (OPSRP) member is entitled to upon retirement detailed information about the number of overtime hours performed by the member during the time period used to calculate the member's final average salary and the number of overtime hours applied to the calculation of the member's final average salary. Becomes operative on January 1, 2026. Takes effect 91<sup>st</sup> day following adjournment sine die.

#### ISSUES DISCUSSED:

- Clarifies the accounting of overtime hours in final average salary calculation for OPSRP members
- Overtime hours for OPSRP members are capped
- Increases transparency of final benefit calculations for members
- Overtime hours are included in Notice of Entitlement for Tier 1 and Tier 2 retirees
- Number of OPSRP members, number of OPSRP retirees
- Fiscal impact

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

The Public Employees Retirement System (PERS) provides retirement benefits for state agencies and approximately 900 units of local government. PERS is overseen by a five-member board that appoints an executive director to manage the agency's daily operations, including the management of benefits for more than 393,000 active, inactive, and retired members and beneficiaries. PERS members are in one of three plans, depending on when they first became a member. The three plans are: Tier One, Tier Two, and the Oregon Public Service Retirement Plan (OPSRP). PERS members who work in positions that meet the definitions for "police officer" and "firefighter" are eligible for special benefit provisions such as retiring at an earlier age and calculating their retirement benefit with a higher statutory factor.

When PERS receives an application for a retirement allowance or benefit from a member and obtains the information necessary to compute the members' retirement allowance or benefit to which the member is entitled, PERS must provide the member a written computation, Notice of Entitlement, of the retirement allowance or benefit the member is entitled to upon retirement. The written summary must include a summary of the information used in making that computation. Under ORS 238A.130, for the purposes of computing a member's final average salary, overtime over a certain amount is not included for OPSRP members because of the overtime cap applicable to OPSRP members.

**HB 2728 STAFF MEASURE SUMMARY**

House Bill 2728 requires PERS to provide retiring OPSRP members the total number of overtime hours worked during the period used to calculate their final average salary, and the number of overtime hours that were actually applied in the calculation of the member's final average salary.