

Senate Bill 751

Sponsored by Senator GORSEK (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells PERB to make new definitions of "police officer" and "firefighter" to decide which police officers and firefighters get more benefits. Makes a task force on health insurance for retired police and fire workers. Tells the task force to make a report. (Flesch Readability Score: 61.2).

Directs the Public Employees Retirement Board to establish definitions of "police officer" and "firefighter" for the sole purpose of determining which police officer and firefighter members of the Public Employees Retirement System are entitled to increased benefits.

Establishes the Task Force on Health Insurance Coverage for Retired Police Officers and Firefighters and directs the task force to report to an interim committee of the Legislative Assembly related to general government no later than December 15, 2026.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to retirement of public safety workers; creating new provisions; amending ORS 238A.125;
3 and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 238A.**

6 **SECTION 2. (1) The Public Employees Retirement Board shall establish by rule defi-**
7 **nitions of the terms "police officer" and "firefighter" for the sole purpose of determining**
8 **whether a police officer, as defined in ORS 238.005, or a firefighter, as defined in ORS**
9 **238A.005, is entitled to the benefit provided in ORS 238A.125 (1)(a) or the benefit provided in**
10 **ORS 238A.125 (1)(b).**

11 **(2) In establishing the definitions under this section, the board shall consider federal de-**
12 **finitions related to retirement of police officers and firefighters.**

13 **SECTION 3. ORS 238A.125, as amended by section 4, chapter 75, Oregon Laws 2024, is amended**
14 **to read:**

15 238A.125. (1) Upon retiring at normal retirement age, a vested pension program member shall
16 be paid an annual pension for the life of the member as follows:

17 **(a) For service as a police officer or firefighter who meets the definition of "police**
18 **officer" or "firefighter" established by the Public Employees Retirement Board under section**
19 **2 of this 2025 Act, two percent of final average salary multiplied by the number of years of**
20 **retirement credit attributable to service as a police officer or firefighter who meets the de-**
21 **finition of "police officer" or "firefighter" established by the Public Employees Retirement**
22 **Board under section 2 of this 2025 Act.**

23 **[(a)] (b) For service as a police officer or firefighter who does not meet the definition of**
24 **"police officer" or "firefighter" established by the Public Employees Retirement Board under**
25 **section 2 of this 2025 Act, 1.8 percent of final average salary multiplied by the number of years**

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 of retirement credit attributable to service as a police officer or firefighter **who does not meet the**
2 **definition of “police officer” or “firefighter” established by the Public Employees Retirement**
3 **Board under section 2 of this 2025 Act.**

4 [(b)] (c) For service as other than a police officer or firefighter, 1.5 percent of final average
5 salary multiplied by the number of years of retirement credit attributable to service as other than
6 a police officer or firefighter.

7 (2) Notwithstanding any provision of ORS 238A.100 to 238A.250, the annual benefit payable to
8 a member under the pension program and under any other tax-qualified defined benefit plan main-
9 tained by the participating public employer may not exceed the applicable limitations set forth in
10 26 U.S.C. 415(b), as in effect on December 31, 2023. The Public Employees Retirement Board shall
11 adopt rules for the administration of this limitation, including adjustments in the annual dollar lim-
12 itation to reflect cost-of-living adjustments authorized by the Internal Revenue Service.

13 (3) The board shall make no actuarial adjustment in a member’s pension calculated under this
14 section by reason of the member’s retirement after normal retirement age.

15 **SECTION 4.** ORS 238A.125, as amended by section 4, chapter 75, Oregon Laws 2024, and section
16 3, chapter 101, Oregon Laws 2024, is amended to read:

17 238A.125. (1) Upon retiring at normal retirement age, a vested pension program member shall
18 be paid an annual pension for the life of the member as follows:

19 (a) **For service as a police officer or firefighter who meets the definition of “police**
20 **officer” or “firefighter” established by the Public Employees Retirement Board under section**
21 **2 of this 2025 Act, two percent of final average salary multiplied by the number of years of**
22 **retirement credit attributable to service as a police officer or firefighter who meets the de-**
23 **finition of “police officer” or “firefighter” established by the Public Employees Retirement**
24 **Board under section 2 of this 2025 Act.**

25 [(a)] (b) For service as a police officer or firefighter **who does not meet the definition of**
26 **“police officer” or “firefighter” established by the Public Employees Retirement Board under**
27 **section 2 of this 2025 Act,** 1.8 percent of final average salary multiplied by the number of years
28 of retirement credit attributable to service as a police officer or firefighter **who does not meet the**
29 **definition of “police officer” or “firefighter” established by the Public Employees Retirement**
30 **Board under section 2 of this 2025 Act.**

31 [(b)] (c) For service in a hazardous position, 1.8 percent of final average salary multiplied by the
32 number of years of retirement credit attributable to service in a hazardous position.

33 [(c)] (d) For service as other than a police officer or firefighter or in a hazardous position, 1.5
34 percent of final average salary multiplied by the number of years of retirement credit attributable
35 to service as other than a police officer or firefighter or in a hazardous position.

36 (2) Notwithstanding any provision of ORS 238A.100 to 238A.250, the annual benefit payable to
37 a member under the pension program and under any other tax-qualified defined benefit plan main-
38 tained by the participating public employer may not exceed the applicable limitations set forth in
39 26 U.S.C. 415(b), as in effect on December 31, 2023. The Public Employees Retirement Board shall
40 adopt rules for the administration of this limitation, including adjustments in the annual dollar lim-
41 itation to reflect cost-of-living adjustments authorized by the Internal Revenue Service.

42 (3) The board shall make no actuarial adjustment in a member’s pension calculated under this
43 section by reason of the member’s retirement after normal retirement age.

44 **SECTION 5. (1) The Task Force on Health Insurance Coverage for Retired Police Officers**
45 **and Firefighters is established.**

1 **(2) The task force consists of seven members appointed as follows:**

2 **(a) The President of the Senate shall appoint one member from among members of the**
3 **Senate.**

4 **(b) The Speaker of the House of Representatives shall appoint one member from among**
5 **members of the House of Representatives.**

6 **(c) The Governor shall appoint five representatives as follows:**

7 **(A) A representative employed by the Public Employees Retirement System.**

8 **(B) A representative of an association that represents employees of the Oregon State**
9 **Police.**

10 **(C) A representative of an association that represents firefighters, as defined in ORS**
11 **238.005 and 238A.005.**

12 **(D) A representative of a state employer of police officers or firefighters, as those terms**
13 **are defined in ORS 238.005 and 238A.005.**

14 **(E) A representative of a local government employer of police officers or firefighters, as**
15 **those terms are defined in ORS 238.005 and 238A.005.**

16 **(3) The task force shall:**

17 **(a) Evaluate methods of providing health insurance coverage to retired police officers and**
18 **firefighters, as those terms are defined in ORS 238.005 and 238A.005, including methods taken**
19 **by other states and local agencies.**

20 **(b) Review additional impediments to retirement of police officers and firefighters, as**
21 **those terms are defined in ORS 238.005 and 238A.005.**

22 **(4) A majority of the voting members of the task force constitutes a quorum for the**
23 **transaction of business.**

24 **(5) Official action by the task force requires the approval of a majority of the voting**
25 **members of the task force.**

26 **(6) The task force shall elect one of its members to serve as chairperson.**

27 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
28 **ment to become immediately effective.**

29 **(8) The task force shall meet at times and places specified by the call of the chairperson**
30 **or of a majority of the voting members of the task force.**

31 **(9) The task force may adopt rules necessary for the operation of the task force.**

32 **(10) The task force shall submit a report in the manner provided by ORS 192.245, and**
33 **may include recommendations for legislation, to an interim committee of the Legislative**
34 **Assembly related to general government no later than December 15, 2026.**

35 **(11) The Public Employees Retirement Board shall provide staff support to the task force.**

36 **(12) Members of the Legislative Assembly appointed to the task force are nonvoting**
37 **members of the task force and may act in an advisory capacity only.**

38 **(13) Members of the task force who are not members of the Legislative Assembly are not**
39 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
40 **force.**

41 **(14) All agencies of state government, as defined in ORS 174.111, are directed to assist**
42 **the task force in the performance of the duties of the task force and, to the extent permitted**
43 **by laws relating to confidentiality, to furnish information and advice the members of the task**
44 **force consider necessary to perform their duties.**

45 **SECTION 6. Section 5 of this 2025 Act is repealed on December 31, 2026.**

1 **SECTION 7.** (1) The Public Employees Retirement Board shall establish definitions of
2 “police officer” and “firefighter” under section 2 of this 2025 Act before January 1, 2026.

3 (2) The amendments to ORS 238A.125 by sections 3 and 4 of this 2025 Act and the defi-
4 nitions established under section 2 of this 2025 Act apply to service performed on or after
5 January 1, 2026.

6 **SECTION 8.** This 2025 Act takes effect on the 91st day after the date on which the 2025
7 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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