

Requested by Senator KNOPP

**PROPOSED AMENDMENTS TO
SENATE BILL 560**

1 On page 1 of the printed bill, line 2, after “amending” delete the rest of
2 the line and delete line 3 and insert “ORS 238.082; and”.

3 Delete lines 6 through 26 and delete pages 2 through 16 and insert:

4 **“SECTION 1.** ORS 238.082 is amended to read:

5 “238.082. (1)(a) Subject to the limitations in this section, any public em-
6 ployer may employ any member who is retired for service if the administra-
7 tive head of the public employer is satisfied that such employment is in the
8 public interest.

9 **“(b) A public employer that employs a retired member under this**
10 **section shall contribute to the Public Employees Retirement Board the**
11 **percentage of the retired member’s salary that would have been con-**
12 **tributed to the board if the retired member were an active member.**

13 “(2) Except as provided in this section, the period or periods of employ-
14 ment by one or more public employers of a retired member who is reemployed
15 under this section may not total 1,040 hours or more in any calendar year.

16 “(3) A retired member who is receiving old-age, survivors or disability
17 insurance benefits under the federal Social Security Act may be employed
18 under this section for the number of hours permitted by subsection (2) of this
19 section, or for the number of hours for which the salary equals the maximum
20 allowed for receipt of the full amount of those benefits to which the person
21 is entitled, whichever is greater.

1 “(4) Except as provided in subsection (9) of this section, the limitations
2 on employment imposed by subsections (2) and (3) of this section do not apply
3 to a retired member who is employed as a teacher or as an administrator,
4 as those terms are defined in ORS 342.120, if the retired member is employed
5 by a school district or community college district located within a county
6 with a population of not more than 35,000 inhabitants according to the latest
7 federal decennial census, or is employed by an education service district and
8 the retired member’s primary work duties are performed in a county with a
9 population of not more than 35,000 inhabitants according to the latest federal
10 decennial census. A retired member who is employed under this subsection
11 as a teacher, as defined in ORS 342.120, by the same public employer that
12 employed the member at the time of retirement remains in the same collec-
13 tive bargaining unit that included the member before retirement.

14 “(5) Except as provided in subsection (9) of this section, the limitations
15 on employment imposed by subsections (2) and (3) of this section do not apply
16 to a retired member who is employed:

17 “(a) By the sheriff of a county with a population of fewer than 75,000
18 inhabitants, according to the latest federal decennial census;

19 “(b) By the municipal police department of a city with a population of
20 fewer than 15,000 inhabitants, according to the latest federal decennial cen-
21 sus;

22 “(c) By the state or a county for work in a correctional institution located
23 in a county with a population of fewer than 75,000 inhabitants, according to
24 the latest federal decennial census;

25 “(d) By the Black Butte Ranch Rural Fire Protection District, the Black
26 Butte Ranch Service District or the Sunriver Service District;

27 “(e) By the Oregon State Police for work in a county with a population
28 of fewer than 75,000 inhabitants, according to the latest federal decennial
29 census;

30 “(f) As a deputy director or assistant director of the Department of Hu-

1 man Services, if the Governor approves the exemption for the person from
2 the limitations on employment imposed in subsections (2) and (3) of this
3 section; or

4 “(g) As a deputy director or assistant director of the Oregon Health Au-
5 thority, if the Governor approves the exemption for the person from the
6 limitations on employment imposed in subsections (2) and (3) of this section.

7 “(6) Except as provided in subsection (9) of this section, the limitations
8 on employment imposed by subsections (2) and (3) of this section do not apply
9 to a retired member who is employed to temporarily replace an employee who
10 serves in the National Guard or in a reserve component of the Armed Forces
11 of the United States and who is called to federal active duty.

12 “(7) Except as provided in subsection (9) of this section, the limitations
13 on employment imposed by subsections (2) and (3) of this section do not apply
14 to a retired member who is employed by a road assessment district organized
15 under ORS 371.405 to 371.535.

16 “(8) Except as provided in subsection (9) of this section, the limitations
17 on employment imposed by subsections (2) and (3) of this section do not apply
18 to a retired member who is a nurse and is employed by a public employer
19 as a nurse or for the purpose of teaching nursing during the period in which
20 a nursing workforce shortage declared by the Legislative Assembly or the
21 Governor is in effect.

22 “(9)(a) Except as provided in paragraph (b) of this subsection, subsections
23 (4) to (8) of this section do not apply to any member who retires under the
24 provisions of ORS 238.280 (1), (2) or (3).

25 “(b) Subsection (4) of this section applies to a person who retires under
26 the provisions of ORS 238.280 (1), (2) or (3) as long as the person’s date of
27 retirement is more than six months before the date the person is employed
28 under subsection (4) of this section.

29 “(10) Employment under this section does not affect the status of a person
30 as a retired member of the system and a recipient of retirement benefits un-

1 der this chapter.

2 “(11) Hours worked by a person employed under subsections (4) to (8) of
3 this section shall not be counted for the purpose of the limitations on em-
4 ployment imposed by subsections (2) and (3) of this section.

5 **“SECTION 2. Section 3 of this 2017 Act is added to and made a part
6 of ORS chapter 238A.**

7 **“SECTION 3. A participating public employer that employs a retired
8 member in other than a qualifying position shall contribute to the
9 Public Employees Retirement Board the percentage of the retired
10 member’s salary that would have been contributed to the board if the
11 retired member were an active member.**

12 **“SECTION 4. Section 3 of this 2017 Act and the amendments to ORS
13 238.082 by section 1 of this 2017 Act apply only to retired members
14 employed by public employers on or after the effective date of this 2017
15 Act.**

16 **“SECTION 5. This 2017 Act being necessary for the immediate
17 preservation of the public peace, health and safety, an emergency is
18 declared to exist, and this 2017 Act takes effect on its passage.”.**

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