

HB 2283-7  
(LC 457)  
4/6/23 (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 2283**

1 On page 1 of the printed bill, line 3, after the last comma insert  
2 “238A.165,”.

3 On page 9, line 1, delete “and”.

4 In line 4, delete the period and insert “; and

5 “(F) The full amount of required employee contributions under ORS  
6 657B.150 that are paid by the employer on behalf of its employees under ORS  
7 657B.150 (5).”.

8 On page 12, after line 11, insert:

9 “(H) The full amount of required employee contributions under ORS  
10 657B.150 that are paid by the employer on behalf of its employees under ORS  
11 657B.150 (5).”.

12 In line 12, delete “(H)” and insert “(I)”.

13 On page 22, after line 33, insert:

14 “(4) Retirement credit for the period of disability under this section shall  
15 be classified the same as the member’s last qualifying position prior to the  
16 disability.”.

17 In line 34, restore the bracketed material and delete the boldfaced mate-  
18 rial.

19 On page 25, delete lines 3 through 22 and insert:

20

21

**“RETIREMENT AGE**

1       **“SECTION 18.** ORS 238A.160 is amended to read:

2       “238A.160. (1) Except as provided in subsections (2) and (3) of this section,  
3 normal retirement age for a member of the pension program is the earlier  
4 of:

5       “(a) 65 years of age; or

6       “(b) 58 years of age if the member has 30 years or more of retirement  
7 credit.

8       “(2)(a) Normal retirement age for a member of the pension program who  
9 retires from service as a police officer or firefighter, and [*who has held a*  
10 *position as a police officer or firefighter continuously for a period of not less*  
11 *than five years immediately preceding the effective date of retirement*] **whose**  
12 **last 60 months of retirement credit preceding retirement eligibility**  
13 **under this section is classified as retirement credit for service as a**  
14 **police officer or a firefighter**, is the earlier of:

15       “[(a)] (A) 60 years of age; or

16       “[(b)] (B) 53 years of age if the member has 25 years or more of retirement  
17 credit.

18       “(b) **A member who establishes retirement eligibility under this**  
19 **subsection retains retirement eligibility as a police officer or fire-**  
20 **fighter, even if the member performs service thereafter only as other**  
21 **than a police officer or firefighter.**

22       “(c) **A period of leave from a position as a police officer or fire-**  
23 **fighter for which a member is entitled to retirement credit for service**  
24 **as a police officer or firefighter and which is part of the member’s last**  
25 **60 months of retirement credit preceding retirement eligibility under**  
26 **this section shall be counted as part of the last 60 months of retire-**  
27 **ment credit required for retirement eligibility under this section.**

28       “(d) **Retirement credit for a month in which a member performs**  
29 **service as both a police officer or firefighter and as other than a police**  
30 **officer or firefighter shall be classified as retirement credit for service**

1 as a police officer or firefighter for purposes of this section.

2 “(e) A member employed as a police officer or firefighter is not re-  
3 quired to restart the last 60 months of retirement credit required for  
4 retirement eligibility under this section when the member:

5 “(A) Is on unpaid leave from the member’s position as a police of-  
6 ficer or firefighter and is receiving insurance payments for short-term  
7 or long-term disability for which retirement credit is not available  
8 under ORS 238A.155; and

9 “(B) Is concurrently employed and performing service as other than  
10 a police officer or firefighter.

11 “(3) Normal retirement age for a member of the pension program who  
12 retires from service as a school employee as defined by ORS 238A.140 is the  
13 earlier of:

14 “(a) 65 years of age; or

15 “(b) 58 years of age if the member has been an active member in 30 or  
16 more calendar years.

17 “(4) The normal retirement date of a member is the first day of the month  
18 beginning on or after the date the member reaches normal retirement age.

19 **“SECTION 19.** ORS 238A.165 is amended to read:

20 “238A.165. (1) Except as provided in this section, earliest retirement age  
21 for a member of the pension program is 55 years of age.

22 “(2)(a) Earliest retirement age for a member of the pension program who  
23 retires from service as a police officer or firefighter is 50 years of age if the  
24 [*member has held a position as a police officer or firefighter continuously for*  
25 *a period of not less than five years immediately before the effective date of re-*  
26 *tirement*] **member’s last 60 months of retirement credit preceding re-**  
27 **tirement eligibility under this section is classified as retirement credit**  
28 **for service as a police officer or a firefighter.** Earliest retirement date for  
29 a member described in this subsection is not later than the date the member  
30 reaches 55 years of age.

1       **“(b) A member who establishes retirement eligibility under this**  
2 **subsection retains retirement eligibility under this section as a police**  
3 **officer or firefighter, even if the member performs service thereafter**  
4 **only as other than a police officer or firefighter.**

5       **“(c) A period of leave from a position as a police officer or fire-**  
6 **fighter for which a member is entitled to retirement credit for service**  
7 **as a police officer or firefighter and which is part of the member’s last**  
8 **60 months of retirement credit preceding retirement eligibility under**  
9 **this section shall be counted as part of the last 60 months of retire-**  
10 **ment credit required for retirement eligibility under this section.**

11       **“(d) Retirement credit for a month in which a member performs**  
12 **service as both a police officer or firefighter and as other than a police**  
13 **officer or firefighter shall be classified as retirement credit for service**  
14 **as a police officer or firefighter for purposes of this section.**

15       **“(e) A member employed as a police officer or firefighter is not re-**  
16 **quired to restart the last 60 months of retirement credit required for**  
17 **retirement eligibility under this section when the member:**

18       **“(A) Is on unpaid leave from the member’s position as a police of-**  
19 **ficer or firefighter and is receiving insurance payments for short-term**  
20 **or long-term disability for which retirement credit is not available**  
21 **under ORS 238A.155; and**

22       **“(B) Is concurrently employed and performing service as other than**  
23 **a police officer or firefighter.**

24       **“(3) If a member of the pension program has 25 years or more of retire-**  
25 **ment credit as a telecommunicator, as defined in ORS 181A.355, earliest re-**  
26 **tirement age for the member is 55 years of age or the age of the member**  
27 **when the member acquires a total of 25 years or more of retirement credit**  
28 **as a telecommunicator, whichever occurs first. A member who retires under**  
29 **this subsection before attaining the age of 55 shall not receive a cost-of-**  
30 **living adjustment under ORS 238A.210 until the member attains the age of**

1 55.

2 “(4) A member of the pension program who has reached earliest retire-  
3 ment age may retire on an early retirement date that is the first day of any  
4 month on or after the member has reached earliest retirement age.”.

5 In line 26, delete “19” and insert “20”.

6 After line 45, insert:

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8 **“TREATMENT OF CERTAIN BENEFITS**

9

10 **“SECTION 21. Section 22 of this 2023 Act is added to and made a**  
11 **part of ORS chapter 238.**

12 **“SECTION 22. (1) Notwithstanding any other provision of this**  
13 **chapter or ORS chapter 238A, and except as provided in subsection (2)**  
14 **of this section, benefits received by a member under ORS 657.370 to**  
15 **657.390 or ORS chapter 657B shall be treated as salary, and a member**  
16 **receiving benefits under ORS chapter 657B shall receive creditable**  
17 **service for the period for which the benefits are received.**

18 **“(2) A member may not receive creditable service under this section**  
19 **if the member will otherwise receive creditable service under this**  
20 **chapter or ORS chapter 238A.**

21 **“(3) Creditable service received under this section shall be treated**  
22 **as if the member performed service in the qualifying position for**  
23 **which the benefits are received.**

24 **“SECTION 23. Section 24 of this 2023 Act is added to and made a**  
25 **part of ORS chapter 238A.**

26 **“SECTION 24. (1) Notwithstanding any other provision of this**  
27 **chapter or ORS chapter 238, and except as provided in subsection (2)**  
28 **of this section, benefits received by a member under ORS 657.370 to**  
29 **657.390 or ORS chapter 657B shall be treated as salary, and a member**  
30 **receiving benefits under ORS chapter 657B shall receive retirement**

1 **credit for the period for which the benefits are received.**

2 **“(2) A member may not receive retirement credit under this section**  
3 **if the member will otherwise receive retirement credit under this**  
4 **chapter or ORS chapter 238.**

5 **“(3) Retirement credit received under this section shall be treated**  
6 **as if the member performed service in the qualifying position for**  
7 **which the benefits are received.”.**

8 On page 26, line 3, delete “20” and insert “25”.

9 After line 10, insert:

10 **“(4) Sections 22 and 24 of this 2023 Act apply to shared work benefits paid**  
11 **under ORS 657.370 to 657.390 on or after March 1, 2020.”.**

12 In line 14, delete “21” and insert “26”.

13 On page 27, line 5, delete “22” and insert “27”.

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