

HB 4045-3
(LC 89)
1/31/24 (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 16 of the printed bill, delete lines 44 and 45 and delete page 17
2 and insert:

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

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

13 **“(2) Section 12 of this 2024 Act is repealed on January 2, 2030.**

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

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 Section 14 of this 2024 Act is repealed on January 2,**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

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

5 **“(a) Is employed as a district attorney on the effective date of this**
6 **2024 Act; or**

7 **“(b) Becomes employed as a district attorney after the effective date**
8 **of this 2024 Act.**

9 **“(2) A person who is employed as a district attorney on or after the**
10 **effective date of this 2024 Act is entitled to service under the Public**
11 **Employees Retirement System as a police officer only for service per-**
12 **formed as a district attorney on or after the effective date of this 2024**
13 **Act.**

14 **SECTION 17. The amendments to ORS 238A.160 by section 4 of this**
15 **2024 Act apply to members of the Oregon Public Service Retirement**
16 **Plan whose effective date of retirement is on or after the effective date**
17 **of this 2024 Act.**

18 **SECTION 18. (1) The amendments to ORS 238A.005, 238A.125,**
19 **238A.134, 238A.160, 238A.220, 238A.240, 338.135, 352.138 and 353.100 by**
20 **sections 2, 3 and 5 to 11 of this 2024 Act become operative on January**
21 **1, 2030.**

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

25 **“(3) A member is of normal retirement age for purposes of ORS**
26 **238A.160 (3), as amended by section 5 of this 2024 Act, if the member,**
27 **on or after the operative date specified in subsection (1) of this section:**

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

30 **“(b) Was last employed in a qualifying position that is a hazardous**

1 **position; and**

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

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

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

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