

CHAPTER 41

AN ACT

SB 1546

Relating to judges; creating new provisions; amending ORS 238A.115; and prescribing an effective date.

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

SECTION 1. ORS 238A.115 is amended to read: 238A.115. (1) Except as provided in subsection (2) of this section, a member of the pension program becomes vested in the pension program on the earliest of the following dates:

(a) The date on which the member completes at least 600 hours of service in each of five calendar years. The five calendar years need not be consecutive, but are subject to the provisions of subsection (3) of this section.

(b) The date on which an active member reaches the normal retirement age for the member under ORS 238A.160.

(c) If the pension program is terminated, the date on which termination becomes effective, but only to the extent the pension program is then funded.

(2) If on the date that a person becomes an active member the person has already reached the normal retirement age for the person under ORS 238A.160, the person is vested in the pension program on that date.

(3) If a member of the pension program who is not vested in the pension program performs fewer

than 600 hours of service in each of five consecutive calendar years, hours of service performed before the first calendar year of the period of five consecutive calendar years shall be disregarded for purposes of determining whether the member is vested under subsection (1)(a) of this section.

(4) Solely for purposes of determining whether a member is vested under this section, hours of service include creditable service, as defined in ORS 238.005, performed by *[the person before the person became an eligible employee]* **a judge member**, as long as the membership of the person under ORS chapter 238 has not been terminated under the provisions of **ORS 238.545** *[ORS 238.095 on the date the person becomes an eligible employee]*.

SECTION 2. The amendments to ORS 238A.115 by section 1 of this 2018 Act apply only to a member of the pension program of the Oregon Public Service Retirement Plan whose effective date of retirement as a judge member of the Public Employees Retirement System under ORS 238.500 to 238.585 is on or after January 1, 2018.

SECTION 3. This 2018 Act takes effect on the 91st day after the date on which the 2018 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

Approved by the Governor March 16, 2018

Filed in the office of Secretary of State March 21, 2018

Effective date June 2, 2018