Teachers' Retirement System of Oklahoma
Postretirement Employment Changes
Frequently Asked Questions • HB 2288 • Effective July 1, 2026

Overview

House Bill 2288 amends Oklahoma law (70 O.S. § 17-116.10) governing postretirement employment for TRS members. The changes affect two key areas: (1) the required break-in-service waiting period before returning to work in Oklahoma public education, and (2) earnings limitations for retired classified and nonclassified members.

What has not changed: HB 2288 does not alter the bona fide separation requirement. Upon retirement, a member may not have any agreement or understanding — formal or informal — to return to work for a TRS employer. This requirement applies independently of the break-in-service period.

Side-by-Side Comparison

Provision	Retired Before July 1, 2026 (Prior Law)	Retiring On/After July 1, 2026 (HB 2288)
Break-in-Service Waiting Period	60 calendar days between last day of preretirement employment and any postretirement public education employment	6 months between last day of preretirement employment and any postretirement public education employment
Earnings Limit (Under Age 62) First 36 Months	**Applicable through June 30, 2026:** Lesser of 50% of final average salary or the Social Security earnings limit for those under Social Security's normal retirement age **On/after July 1, 2026: No limit on earnings**	No limit on earnings after 6 month break in service
Earnings Limit (Age 62+) First 36 Months	**Applicable through June 30, 2026:** Lesser of $30,000 or 50% of final average salary **On/after July 1, 2026: No limit on earnings**	No limit on earnings after 6 month break in service

General Questions

Q: What does HB 2288 change about postretirement employment?

HB 2288 makes two primary changes for TRS members effective July 1, 2026:

- For members who retire on or after July 1, 2026, HB2288 extends the required break-in-service waiting period from 60 calendar days to 6 months before a retired member may return to employment with a TRS employer.

- For **all** members, HB2288 permanently eliminates earnings limitations as of July 1, 2026, for retired classified and nonclassified members who return to public education employment after their break in service.

Q: I retired before July 1, 2026. Does HB 2288 affect me?

If your retirement was effective before July 1, 2026, the 60-day waiting period and earnings limits still apply to you — but only until July 1, 2026, at which point the earnings limits will no longer apply due to the recent change in law.

Break-in-Service Waiting Period

Q: What is the waiting period before I can return to work at a TRS employer after retirement?

The answer depends on your retirement date:

- Retired before July 1, 2026 (Prior Law): You must wait 60 calendar days between your last day of preretirement public education employment and any post-retirement public education employment.
- Retiring on or after July 1, 2026 (HB 2288): You must wait 6 months between your last day of preretirement public education employment and any postretirement public education employment.

Note: "Last day of preretirement employment" means the last day you are required to be physically present on the job to complete the terms of your employment contract or agreement, or your effective retirement date, whichever is later. An employee on paid leave is still considered to be employed for purposes of this rule.

Q: What happens if I begin working at a TRS employer before the waiting period ends?

Working in any capacity during the waiting period — which generally includes volunteer services — will result in forfeiture of all retirement benefits received during that period. This applies under both the prior law and HB 2288.

Q: I retired, then suspended my retirement benefit and went back to work before July 1, 2026. If I retire again on or after July 1, 2026, do I have to wait 6 months before returning to work?

Yes. TRS has a long-standing rule (Okla. Admin. Code 715:10-17-13) that the waiting period applies when someone retires a second time. So, if you re-retire on or after July 1, 2026, you will have to sit out the 6-month waiting period under HB2288 — even though you went back to work before that date.

Earnings Limitations

Q: I retired before July 1, 2026. What earnings limits apply to me?

If you retired before July 1, 2026, the following earnings limits apply during either the first 36 months following your effective retirement date or through June 30, 2026, whichever is earlier. On and after July 1, 2026, earnings limits will no longer apply for any TRS retiree due to the recent change in law:

- If you are under age 62: Your allowable earnings from TRS employers are limited to the lesser of (a) one-half of your final average salary used to compute your retirement benefit, or (b) the earnings limit allowed by the Social Security Administration for those under Social Security's normal retirement age.
- If you are age 62 or older: Your allowable earnings from TRS employers are limited to the lesser of (a) $30,000, or (b) one-half of your final average salary used to compute your retirement benefit.

Note: Earnings in excess of these limits result in a dollar-for-dollar reduction of your monthly retirement benefit.

Q: I am retiring on or after July 1, 2026. What earnings limits apply to me?

If you are a retired TRS member returning to perform duties ordinarily performed by classified or nonclassified personnel, HB 2288 permanently removes earnings limitations. You may earn unlimited annualized compensation from Oklahoma public education employment with no reduction in your retirement benefit after your break in service.

Q: What qualifies as "classified or nonclassified" employment?

A retired member is considered to be working in a classified or nonclassified capacity if the TRS employer engages them either directly as an individual or through any type of business entity — such as a sole proprietorship, partnership, corporation, or LLC — that has contracted with the TRS employer to provide those services.

Q: Can a retired administrator return to work as an administrator or only as a classroom teacher?

A retired administrator can return to employment in either capacity — as an administrator or as a classroom teacher – without earnings limits. Administrators are classified members of TRS, and under HB2288, starting July 1, 2026, retired classified members who have met their applicable break in service may return to employment with a TRS employer in any role typically performed by classified or nonclassified personnel.

NOTE: Oklahoma law (70 O.S. § 6-101.2) prohibits retired school administrators from contracting with any local school board, school district administration, or the State Board of Education **to provide consultant services** until two years have passed since their retirement date.

Q: Can a retired employee of higher education return to work in higher education after the break in service?

A retired member who served as an employee of higher education may return to work as an employee in higher education following their applicable break in service.

NOTE: Oklahoma law (70 O.S. § 3227) prohibits any institution within the Oklahoma State System of Higher Education from **contracting** with a retired employee for consultant services for **2 years** following their retirement date.

Exception to the note: After satisfying the break in service, a retired employee may enter into a consulting contract within that 2-year period for a **part-time teaching or research position**, provided the appointment does not exceed **12 semester hours per academic year.**

Employer Contributions & Other Rules

Q: Does a TRS employer have to make TRS contributions for a retired member it employs?

Yes. A TRS employer that employs a retired TRS member is required to make contributions to the System for that member in the amounts required under 70 O.S. §§ 17-108.1 and 17-116.2(B)(3). This requirement applies regardless of whether the member is subject to earnings limitations.

Q: How does a bona fide separation from service work with HB2288?

When someone retires from TRS, they must make a clean break from their job — meaning they cannot have any agreement or plan in place to go back to work for a TRS employer before they retire. This rule applies even if the retiree waits the required 6 months before returning to work. The 6-month waiting period and the clean-break requirement are two separate rules, and following one does not get you out of following the other.

Q: What are my obligations to continue receiving my retirement benefit during postretirement employment?

You must fully comply with all applicable rules promulgated by the TRS Board of Trustees in order to continue receiving your monthly retirement benefit during any period of postretirement employment.

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