

Act 407 of the 1989 Regular Session.

Act 407

HB1465

By: Representative Barclay

"AN ACT TO AMEND TITLE 24, CHAPTER 4, SUBCHAPTER 2 OF THE ARKANSAS CODE OF 1987 CHANGING THE PROCEDURE FOR IMPOSITION OF PENALTIES ON LATE REMITTANCES BY PARTICIPATING EMPLOYERS; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Ark. Code 24-4-203(a) is hereby amended to read as follows:

" 24-4-203. Arkansas Public Employees' Retirement System Fund - Penalties for delinquency.

(a) (1) In the event that any participating public employer fails to remit to the system those moneys which are required by law or regulation by the tenth day of the month in which the moneys are due, then the system shall have the right to impose a penalty of six percent (6%) interest on an annual basis on the moneys due. This interest shall be computed on the actual days of delinquency and shall be paid to the system for the purpose of reimbursing the trust fund for the money which would have been earned on the moneys had they been paid when due. For purposes of this section, an employer's remittance shall not be considered delinquent if received by the system by the tenth day or post-marked no later than the seventh day of the month in which the payment is due.

(2) The interest penalty shall be determined by the system on the date the delinquent funds are received, and a statement of the interest shall be sent to the participating public employer.

(3) If the interest penalty or delinquent moneys are not received by the system by the last business day of the month in which the moneys were originally due, then the system shall cause the sums of moneys, including interest, to be transferred from any moneys due the participating public employer from the office of the Treasurer of State or the Department of Education as provided in 19-5-106(a)(5)."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 8, 1989

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