

Act 50 of the 1989 Regular Session.

Act 50

HB1355

By: Representative B. Wood

"AN ACT TO AMEND TITLE 24, CHAPTER 4, SUBCHAPTER 3 OF THE ARKANSAS CODE OF 1987 TO PERMIT THE GOVERNING BODY OF A COUNTY OWNED AND OPERATED HOSPITAL TO ELECT TO EXCLUDE ITS EMPLOYEES FROM MEMBERSHIP IN THE ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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

SECTION 1: Arkansas Code 24-4-302(4) is hereby amended to read as follows:

"(4) A hospital which, as of June 30, 1988, is owned and operated by a county and which has failed to participate in the Arkansas Public Employees' Retirement System may elect to exclude the employees of the hospital from membership in the system by at least a two-thirds (2/3) vote of its governing body. Neither employees of the hospital nor the hospital shall be liable or eligible to pay any past contribution which may have been due the Arkansas Public Employees' Retirement System, but only if the election is certified to the Board of Trustees of the Arkansas Public Employees' Retirement System prior to July 1, 1990."

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 All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4: Emergency Clause. It is hereby found and determined by the General Assembly that existing law relating to membership by county owned and operated hospitals in the Arkansas Public Employees Retirement System is not clear due to the passage of various Acts pertaining thereto and the effect of Act 13 of the first Extraordinary Session of 1977; that hospitals owned and operated by counties are unsure as to their status with regard to the Arkansas Public Employees Retirement System and the present law places a serious financial burden on the hospitals and employees of the hospital within this State; and that this Act is designed to permit the governing bodies of such hospitals to elect to exclude their employees from such membership and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

APPROVED: February 13, 1989

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