

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Dawson**

A BILL ACT 243 OF 1991
HOUSE BILL 1126

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 5, SECTION 112 OF THE
9 ARKANSAS CODE OF 1987 TO PERMIT MEMBERS OF THE ARKANSAS
10 STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM TO ACCRUE MORE
11 THAN THIRTY-FIVE YEARS OF CREDITABLE SERVICE; AND FOR
12 OTHER PURPOSES."

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

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16 SECTION 1. Arkansas Code 24-5-112 is hereby amended to read as follows:

17 "24-5-112. Eligibility for benefits - Voluntary retirement.

18 (a) A member may retire voluntarily as follows:

19 (1) At the age of sixty-five (65) years, or during any year
20 thereafter until the age of compulsory retirement has been attained, with a
21 minimum of ten (10) years of creditable service in the Arkansas State Highway
22 Employees' Retirement System;

23 (2) At the age of sixty-two (62) years, with a minimum of fifteen
24 (15) years of creditable service in the Arkansas State Highway Employees'
25 Retirement System;

26 (3) At the age of sixty (60) years, with a minimum of twenty (20)
27 years of creditable service in the Arkansas State Highway Employees'
28 Retirement System; or

29 (4) Regardless of age, with thirty (30) years of creditable
30 service in the Arkansas State Highway Employees' Retirement System.

31 (b) Any retired member who has creditable service with the department
32 for more than thirty-five (35) years and who is not receiving benefits based
33 on his or her actual creditable service time, on the effective date of this
34 Act, shall have his or her annuity adjusted at that time. The adjustment
35 shall be equivalent to the retirant's original annuity, adjusted for actual
36 service time and subsequent cost-of-living and any ad hoc increases. The

1 retirant shall be paid such adjusted annuity for each month thereafter."

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

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7 SECTION 3. If any provision of this Act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the Act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 Act are declared to be severable.

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13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Seventy-Eighth General Assembly that the Arkansas State Highway Employees'
18 Retirement System law needs to be amended to allow members to accrue more than
19 thirty-five (35) years of creditable service. Therefore, an emergency is
20 hereby declared to exist and this act being necessary for the immediate
21 preservation of the public peace, health and safety shall be in full force and
22 effect from and after its passage and approval.

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APPROVED: 2-27-91

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