

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S1/20/ S2/3/99 S3/1/99

A Bill

Act 705 of 1999
SENATE BILL 46

5 By: Senator Hopkins
6

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-4-301(a) CONCERNING
9 MEMBERSHIP IN THE ARKANSAS PUBLIC EMPLOYEES RETIREMENT
10 SYSTEM BY MEMBERS OF THE GENERAL ASSEMBLY; AND FOR
11 OTHER PURPOSES."

Subtitle

12
13 "AN ACT CONCERNING MEMBERSHIP IN THE
14 ARKANSAS PUBLIC EMPLOYEES RETIREMENT
15 SYSTEM BY MEMBERS OF THE GENERAL
16 ASSEMBLY."
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code 24-4-301(a) is amended to read as follows:

22 "(a)(1) Except as set forth in this subsection, all state employees, as
23 defined in § 24-4-101(7), shall become members of the Arkansas Public
24 Employees Retirement System as a condition of employment.

25 (2)(A) Membership in the system shall not be mandatory for any
26 member of the General Assembly who notifies the system in writing of his or
27 her decision not to participate ~~within ninety (90) days after taking the oath~~
28 ~~of office.~~ The member may elect not to participate for all or any part of his
29 or her service or benefits as a member of the General Assembly. The member
30 may make the election at any time.

31 (B) By electing not to ~~become~~ be a member of the system,
32 the individual is precluded from earning any credit or receiving any benefit
33 based upon General Assembly service.

34 (C) (i) A person who is first elected as a member of the
35 General Assembly on or after July 1, 1999 shall have his or her employment
36 covered as a regular state employee member in lieu of coverage under special

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1 provisions relating to General Assembly members or to elected officials.
2 However, if the member's only service under an Arkansas retirement plan is
3 service as a member of the General Assembly, then the member must have ten
4 (10) or more years of credited service to be eligible for benefits.

5 (ii) A person who was first elected as a member of
6 the General Assembly before July 1, 1999 may elect to have his or her
7 employment covered as a regular state employee member in lieu of coverage
8 under special provisions relating to General Assembly members or to elected
9 officials. However, if the member's only service under an Arkansas retirement
10 plan is service as a member of the General Assembly, then the member must have
11 ten (10) or more years of credited service to be eligible for benefits. The
12 member may make the election at any time.

13 (3) Nothing in this subsection shall abrogate the entitlement to
14 retirement benefits based upon any other covered employment."
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16 SECTION 2. No benefit enhancement provided for by this act shall be
17 implemented if it would cause the publicly supported retirement system's
18 unfunded actuarial accrued liabilities to exceed a thirty (30) year
19 amortization. No benefit enhancement provided for by this act shall be
20 implemented by any publicly supported system which has unfunded actuarial
21 accrued liabilities being amortized over a period exceeding thirty (30) years
22 until the unfunded actuarial accrued liability is reduced to a level less than
23 the standards prescribed by Arkansas Code, Title 24.
24

25 SECTION 3. All provisions of this Act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.
28

29 SECTION 4. If any provision of this Act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the Act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 Act are declared to be severable.
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35 SECTION 5. All laws and parts of laws in conflict with this Act are
36 hereby repealed.

/s/ Hopkins

APPROVED: 3/18/1999

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