

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: S3/10/99 H3/18/99

A Bill

Act 883 of 1999
SENATE BILL 401

5 By: Senator Gwatney
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7

For An Act To Be Entitled

9 "AN ACT TO PROVIDE CREDITED SERVICE FOR PREVIOUS
10 MILITARY SERVICE FOR MEMBERS OF THE ARKANSAS LOCAL
11 POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER
12 PURPOSES. "

Subtitle

15 "TO PROVIDE CREDITED SERVICE FOR MILITARY
16 SERVICE FOR LOPFI MEMBERS. "

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Any person who is or was a member of the Arkansas Local
22 Police and Fire Retirement System, and who was not receiving benefits under
23 the system on January 1, 1999, shall be entitled to purchase credited service
24 in the system for a period not to exceed two (2) years, for service rendered
25 by the member while on active duty in the armed forces of the United States
26 prior to the member's employment covered by the Local Police and Fire
27 Retirement System but only if:

28 (1) The person received an honorable discharge from the armed forces;

29 (2) The person is not receiving federal military service retirement pay
30 based upon nineteen (19) or more years of active duty; however, disability
31 federal retirement pay shall not disqualify a member from purchasing credit;
32 and

33 (3) The person does the following: if he or she has participated in the
34 system for at least sixteen (16) years or takes medical disability, he or she
35 contributes to the member's deposit account a sum of money equal to the amount
36 of the combined employee and employer contribution made by or on behalf of the

1 member to the system based upon the contributions for the last month of the
2 employee's sixteenth (16th) year of service or if the employee has taken
3 medical disability, the last month of the employee's last year of service
4 prior to taking disability, multiplied by the number of months of military
5 service the member is eligible for and desires to purchase under this section
6 with interest thereon at the rate of six percent (6%) per annum from the date
7 of eligibility to purchase the service to the date of purchase.

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9 SECTION 2. No benefit enhancement provided for by this act shall be
10 implemented if it would cause the publicly supported retirement system's
11 unfunded actuarial accrued liabilities to exceed a thirty (30) year
12 amortization. No benefit enhancement provided for by this act shall be
13 implemented by any publicly supported system which has unfunded actuarial
14 accrued liabilities being amortized over a period exceeding thirty (30) years
15 until the unfunded actuarial accrued liability is reduced to a level less than
16 the standards prescribed by Arkansas Code, Title 24.

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

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22 SECTION 4. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

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28 SECTION 5. All laws and parts of laws in conflict with this act are
29 hereby repealed.

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31 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly that members of the Arkansas Local Police and Fire Retirement System
33 should be entitled to purchase credited service for military service; that
34 this act corrects an inequity in the retirement system and should be given
35 immediate effect. Therefore, an emergency is declared to exist and this act
36 being immediately necessary for the preservation of the public peace, health

1 and safety shall become effective on the date of its approval by the Governor.
2 If the bill is neither approved nor vetoed by the Governor, it shall become
3 effective on the expiration of the period of time during which the Governor
4 may veto the bill. If the bill is vetoed by the Governor and the veto is
5 overridden, it shall become effective on the date the last house overrides the
6 veto.

7 /s/ Gwatney

10 APPROVED: 3/29/1999

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