

Stricken language would be deleted from and underlined language would be added to law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H3/13/01

**A Bill**  
HOUSE BILL 1251

Act 1132 of 2001

5 By: Representative R. Smith  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE 24-10-607 TO  
10 INCREASE THE AMOUNT OF DISABILITY ANNUITIES UNDER  
11 LOCAL POLICE AND FIRE RETIREMENT SYSTEM (LOPFI);  
12 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
13

**Subtitle**

14 TO INCREASE THE AMOUNT OF DISABILITY  
15 ANNUITIES UNDER LOCAL POLICE AND FIRE  
16 RETIREMENT SYSTEM.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code 24-10-607(d) is amended to read as follows:

23 (d)(1) Upon disability retirement as provided in subsection (c) of this  
24 section, a member shall receive an annuity provided for in § 24-10-602;  
25 however, for the sole purpose of computing the amount of the annuity for such  
26 *retirant who does not have twenty-five (25) years of credited service in force*  
27 *at the beginning of the disability retirement, credited service shall be*  
28 *granted for the period from the date of disability retirement to the date the*  
29 *retirant would have completed twenty-five (25) years of credited service.*

30 (2) Upon disability retirement as provided in subsection (c) of  
31 this section, which occurs on or after July 1, 2001 for members in paid  
32 service, a member shall receive an annuity provided for in § 24-10-602;  
33 however, for determining the amount of the annuity, the retirant's annuity  
34 amount shall either be equal to sixty-five percent (65%) of the final average  
35 salary of the member or shall be equal to the annuity paid to retirants for  
36 each year of paid service resulting from employment as provided for in § 24-

1 10-602, whichever is greater.

2 ~~(2)~~(3) He shall have the right to elect an option provided for in  
3 § 24-10-603.

4 ~~(3)~~(4) His disability retirement and annuity shall be subject to  
5 the provisions of subsection (e) of this section and to the provisions of §  
6 24-10-610.

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8 SECTION 2. [THE ARKANSAS CODE REVISION COMMISSION IS NOT REQUIRED TO  
9 CODIFY THIS SECTION.] No benefit enhancement provided for by this act shall  
10 be 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. Emergency. It is found and determined by the Eighty-Third  
19 General Assembly of the State of Arkansas that disability benefits available  
20 under old system fire and police pension funds are more lucrative than under  
21 the Local Police and Fire Retirement System; that it promotes increased unit  
22 morale to insure that fringe benefits are comparable between police and fire  
23 department employees; and that it is administratively beneficial to implement  
24 changes at the beginning of the state's fiscal year. Therefore an emergency  
25 is declared to exist and this act being immediately necessary for the  
26 preservation of the public peace, health and safety shall become effective on  
27 July 1, 2001.

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/s/ R. Smith

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APPROVED: 3/28/2001

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