

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

**Act 1251 of the Regular Session**

*As Engrossed: H3/4/05 H3/17/05*

**A Bill**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

HOUSE BILL 1214

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5 By: Representative Mathis  
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**For An Act To Be Entitled**

8  
9 AN ACT TO ELIMINATE THE REDUCTION IN MONTHLY  
10 BENEFITS FOR FIREFIGHTERS IN THE EXTENDED  
11 DEFERRED RETIREMENT OPTION PLAN; AND FOR OTHER  
12 PURPOSES.  
13

**Subtitle**

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15 AN ACT TO ELIMINATE THE REDUCTION IN  
16 MONTHLY BENEFITS FOR FIREFIGHTERS IN THE  
17 EXTENDED DEFERRED RETIREMENT OPTION  
18 PLAN.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 24-11-830(c), pertaining to the deferred  
24 retirement option plan, is amended as follows:

25 (c)(1)(A) Except under subdivision (c)(1)(B) of this section, the  
26 duration of participation in the plan for active full-paid firefighters shall  
27 not exceed five (5) years.

28 (B) The five-year limit may be extended if:

29 (i) The extension does not cause the limit to exceed  
30 ten (10) years;

31 (ii) The extension applies to all active full-paid  
32 firefighters and all members on the plan;

33 (iii) The extension is approved by a majority of  
34 votes of the board of trustees of the pension and relief fund or of the Board  
35 of Trustees of the Arkansas Local Police and Fire Retirement System for funds



1 whose administrative responsibility has been assigned to the system as  
2 provided in § 24-11-406(b);

3 (iv) The interest credited after the first five (5)  
4 years on the plan shall be two (2) percentage points below the rate of return  
5 of the investment portfolio of the fund and shall not be determined under  
6 subdivision (e)(2) of this section, but the interest rate credited shall not  
7 be less than zero percent (0%);

8 (v)(a) *Seventy five percent (75%) of the monthly*  
9 *retirement benefits that would have been payable had the member elected to*  
10 *cease employment and receive a service retirement shall be paid into the plan*  
11 *account; ~~and~~ or*

12 (b) One hundred percent (100%) of the monthly  
13 retirement benefits that would have been payable had the member elected to  
14 cease employment and receive a service retirement shall be paid into the plan  
15 account if approved by a majority vote of the governing board of the  
16 sponsoring municipality; and

17 (vi) *The extension is approved by a majority vote of*  
18 *the governing body of the sponsoring municipality after receiving approval*  
19 *for an increase in benefits under § 24-11-102.*

20 (2)(A) Except under subdivision (c)(2)(B) of this section, at  
21 the conclusion of a member's participation in the plan, the member shall  
22 terminate employment with all participating municipalities as a firefighter  
23 and shall start receiving the member's accrued monthly retirement benefit  
24 from the firemen's pension and relief fund.

25 (B) If a member is at the conclusion of a member's  
26 participation in the plan, then the member may continue employment by a  
27 municipality under the following conditions:

28 (i) The municipality makes continued employment  
29 available to all similarly situated members;

30 (ii) The availability of continued employment is  
31 approved by a majority vote of the governing body of the sponsoring  
32 municipality after receiving approval for an increase in benefits under § 24-  
33 11-102;

34 (iii) The monthly benefit that is credited to the  
35 member's plan account is discontinued and the member shall not receive a  
36 monthly benefit until the member actually ceases employment;

1 (iv) The interest rate credited to the plan account  
2 is the same as paid under subdivision (e)(2) of this section, except that the  
3 minimum rate is zero percent (0%);

4 (v) The employer's matching contribution of six  
5 percent (6%) shall cease, but all other employer contributions shall continue  
6 and be credited to the pension and relief fund; and

7 (vi) The employee contributions of six percent (6%)  
8 shall discontinue.

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10 /s/ Mathis

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13 APPROVED: 3/29/2005  
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