

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 1201 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: S3/2/09

A Bill

SENATE BILL 182

5 By: Senator G. Jeffress  
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8 **For An Act To Be Entitled**

9 AN ACT TO MAKE ADJUSTMENTS TO THE LOCAL POLICE  
10 AND FIRE PENSION AND RELIEF FUNDS; AND FOR OTHER  
11 PURPOSES.  
12

13 **Subtitle**

14 TO MAKE ADJUSTMENTS TO THE LOCAL POLICE  
15 AND FIRE PENSION AND RELIEF FUNDS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 *SECTION 1. Arkansas Code § 24-11-410(b), concerning investments in the*  
21 *policemen's pension and relief funds, is amended to read as follows:*

22 *(b) ~~All~~ Except as provided in subsection (c) of this section, all*  
23 *securities shall be deposited with the treasurer of the board of trustees of*  
24 *the policemen's pension and relief fund and shall be subject to the order of*  
25 *the board.*  
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27 *SECTION 2. Arkansas Code § 24-11-410(c)(1), concerning investments in*  
28 *the policemen's pension and relief funds, is amended to read as follows:*

29 *(c)(1) In those policemen's pension and relief funds in which assets*  
30 *exceed one hundred thousand dollars (\$100,000), the board may employ:*

31 *(A) ~~an~~ An investment advisor as defined in § 24-10-*  
32 *402(a)(2)(A)(ii) to invest the assets, subject to the terms, conditions,*  
33 *limitations, and restrictions imposed by law upon the Arkansas Local Police*  
34 *and Fire Retirement System, as provided by § 24-10-401 et seq.; and*

35 *(B) A trustee or custodian to hold the assets.*



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2       SECTION 3. Arkansas Code § 24-11-411 is amended to read as follows:

3       24-11-411. Payments.

4       (a) All Except as provided in subsection (c) of this section, all  
5       moneys paid from the pension and relief fund shall be paid by the treasurer  
6       only upon warrants signed by the chair and countersigned by the secretary  
7       thereof.

8       (b) ~~No~~ Except as provided in subsection (c) of this section, no  
9       warrant shall be drawn except by order of the board, and interest accruing  
10      from the fund while on deposit or otherwise shall constitute a part of the  
11      fund.

12      (c) In a policemen's pension and relief fund in which the board has  
13      employed a trustee or custodian under § 24-11-410(c) to hold the assets, the  
14      trustee or custodian may pay benefits to persons and beneficiaries entitled  
15      to benefits under the fund as directed by the board.

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17      SECTION 4. Arkansas Code § 24-11-805(c), concerning investments in the  
18      local pension and relief funds, is amended to read as follows:

19      (c) ~~All~~ Except as provided in subsection (d) of this section, all  
20      securities shall be deposited with the treasurer of the board of trustees of  
21      the relief and pension fund and shall be subject to the orders of the board.

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23      SECTION 5. Arkansas Code § 24-11-805(d)(1), concerning investments in  
24      the local pension and relief funds, is amended to read as follows:

25      (d)(1) However, in those pension and relief funds in which assets  
26      exceed one hundred thousand dollars (\$100,000), the board of trustees may  
27      employ:

28              (A) ~~an~~ An investment advisor as defined in § 24-10-402(a)  
29      to invest the assets, subject to the terms, conditions, limitations, and  
30      restrictions imposed by law upon the system, as provided by § 24-10-401 et  
31      seq.; and

32              (B) A trustee or custodian to hold the assets.

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34      SECTION 6. Arkansas Code § 24-11-806 is amended to read as follows:  
35      24-11-806. Payments generally.

36      (a) Except as provided in subsection (b) of this section, payments

1 ~~Payments~~ provided for in this act shall be made monthly upon proper vouchers  
2 and in such manner as provided for in other disbursements of the city or  
3 town.

4 (b) In a firemen's relief and pension fund in which the board of  
5 trustees of the firemen's relief and pension fund has employed a trustee or  
6 custodian under § 24-11-805(d) to hold the assets, the trustee or custodian  
7 may pay benefits to persons and beneficiaries entitled to benefits under the  
8 fund as directed by the board.

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10 SECTION 7. Arkansas Code § 24-12-109(c)(1), concerning investments of  
11 local officers and employees, is amended to read as follows:

12 (c)(1) In those nonuniformed employees' pension and relief funds in  
13 which assets exceed one hundred thousand dollars (\$100,000), the board of  
14 trustees may employ:

15 (A) ~~an~~ An investment advisor as defined in § 24-10-  
16 402(a)(2)(A)(ii) to invest the assets, subject to the terms, conditions,  
17 limitations, and restrictions imposed by law upon the Arkansas Local Police  
18 and Fire Retirement System, as provided by §§ 24-10-401 – 24-10-411; and

19 (B) A trustee or custodian to hold the assets.

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21 SECTION 8. Arkansas Code § 24-12-110 is amended to read as follows:  
22 24-12-110. Payments.

23 (a) ~~All~~ Except as provided in subsection (c) of this section, all  
24 moneys paid from the pension and relief fund shall be paid by the treasurer  
25 only upon warrants signed by the chair and countersigned by the secretary  
26 thereof.

27 (b) ~~No~~ Except as provided in subsection (c) of this section, no  
28 warrant shall be drawn except by the order of the board, and interest  
29 accruing from the fund, while on deposit or otherwise, shall constitute a  
30 part of the fund.

31 (c) In a pension and relief fund in which the board has employed a  
32 trustee or custodian under § 24-12-109(c) to hold the assets, the trustee or  
33 custodian may pay benefits to persons and beneficiaries entitled to benefits  
34 under the fund as directed by the board.

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36 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that the statutes relating to  
2 payments from the local pension and relief funds need amending in order for  
3 the investments of the assets in the local pension and relief funds to be  
4 consistent with the practicalities of the market. Therefore, an emergency is  
5 declared to exist and this act being immediately necessary for the  
6 preservation of the public peace, health, and safety shall become effective  
7 on:

- 8 (1) The date of its approval by the Governor;  
9 (2) If the bill is neither approved nor vetoed by the Governor,  
10 the expiration of the period of time during which the Governor may veto the  
11 bill; or  
12 (3) If the bill is vetoed by the Governor and the veto is  
13 overridden, the date the last house overrides the veto.

14 /s/ G. Jeffress

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16 **APPROVED: 4/7/2009**  
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