

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 289 OF 1997  
HOUSE BILL 1155

5 By: Representative Madison  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 24-10-612 TO ELIMINATE THE  
10 MAXIMUM LIMITATION ON THE REDETERMINATION OF BENEFITS  
11 AFTER RETIREMENT UNDER THE ARKANSAS LOCAL POLICE AND FIRE  
12 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "TO REMOVE THE MAXIMUM LIMIT ON THE  
15 REDETERMINATION BENEFITS AFTER  
16 RETIREMENT UNDER THE ARKANSAS LOPFI  
17 RETIREMENT SYSTEM."  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 24-10-612 is amended to read as follows:

23 "24-10-612. Redetermination of benefits.

24 (a) Beginning with the July 1 which is at least twelve (12) full months  
25 after the effective date of a monthly benefit, the amount of the benefit shall  
26 be redetermined effective each July 1, and the redetermined amount shall be  
27 payable for the ensuing year.

28 (b) ~~Subject to the maximum stated in subsection (c) of this section,~~

29 ~~the~~ The redetermined amount shall be the amount of the benefit otherwise  
30 payable multiplied by the following percent: one hundred percent (100%), plus  
31 three percent (3%) for each full year, but excluding any fraction of a year,  
32 in the period from the effective date of the benefit to the current July 1.

33 ~~— (c) In no event shall the redetermined amount be less than the amount~~  
34 ~~of the benefit otherwise payable or more than the amount of the benefit~~  
35 ~~otherwise payable increased by one-half (1/2) of any percentage increase in~~  
36 ~~the inflation index for the period from the December immediately preceding the~~  
37 ~~effective date of the benefit to the December immediately preceding the July~~

1 ~~1. Except that the one-half (1/2) percentage limitation shall not apply in~~  
2 ~~years in which the rate of return on investments exceeds the actuarial~~  
3 ~~assumption by one percent (1%) or more, as determined by the Local Police and~~  
4 ~~Fire Retirement System Board of Trustees.~~

5 ~~———(d)(c)~~ For purposes of this section, the amount of the benefit  
6 otherwise payable means the monthly amount of benefit which would be payable  
7 disregarding the provisions redetermining benefit amounts after retirement."  
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9 SECTION 2. All provisions of this act of general and permanent nature  
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
11 Revision Commission shall incorporate the same in the Code.  
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13 SECTION 3. If any provisions of this act or the application thereof to  
14 any person or circumstance is held invalid, the invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provisions or application, and to this end the provisions of this  
17 act are declared to be severable.  
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19 SECTION 4. All laws and parts of laws in conflict with this act are  
20 hereby repealed.  
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22 APPROVED: 2-27-97  
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