

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 108

"TO REQUIRE CERTAIN EMPLOYEES OF CITIES THAT PARTICIPATE UNDER THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO BECOME MEMBERS UNLESS THEY
OPT OUT AND TO EXTEND THE DEFINITION OF PAID NONUNIFORMED EMPLOYEES
IN CITIES."

Amendment No. 3 to Senate Bill No. 108.

Amend Senate Bill No. 108 as engrossed, 03/06/03:

Page 2, delete line 27, and substitute the following:
"determined by the vote.

(5)(A) If a municipal employee or a former municipal employee covered by the Arkansas Public Employees' Retirement System in a municipality with a city Administration of Justice fund created under § 16-10-308 that exists to provide a pension fund for the position held by the employee or former employee elects to establish participation in the public retirement system under §§ 24-12-101 through 24-12-130, and waive any rights the employee or former employee may have had, or would otherwise have, in the local retirement system, then in that event the employee or former employee may transfer their service credit to the Arkansas Public Employees' Retirement System, and the municipality for which he is, or was serving, in the capacity as a District Judge may use the funds within the city's Administration of Justice fund to pay any and all contributions and interest required by Arkansas Public Employees' Retirement System to transfer the service credit to Arkansas Public Employees' Retirement System.

(B) In addition, if any employee or former employee covered by the city's Administration of Justice fund has transferred service credit, or transfers service credit, to Arkansas Public Employees' Retirement System anytime after January 1, 2000, and if the municipality has used general revenue funds to pay the contribution required to fund the transfer, or if the municipality has used the city's Administration of Justice fund to fund the transfer, then in that event the city's Administration of Justice fund shall not be refunded or in the event general funds were used, the city may reimburse the general fund from the city's Administration of Justice fund for the contribution paid on behalf of the employee or former employee.

(C)(i) In addition to paying for the transfer of service credit for the position for which the fund is created, the municipality may also pay from city's Administration of Justice fund on behalf of the employee



or former employee for any additional transfer of service credit the employee or former employee elects to make regarding time as city attorney for the municipality.

(ii) The municipality may reimburse itself for any payment from the city's Administration of Justice fund to fund the transfer made from its general fund after January 1, 2000 on behalf of the employee or former employee to purchase city attorney service credit in Arkansas Public Employees' Retirement System.

(iii) In the event any payment for the service has been made directly from the city's Administration of Justice fund after January 1, 2000, then the municipality shall not be required to reimburse the city's Administration of Justice fund for those transfers.

(iv) In the event a transfer from the general fund is made to the city's Administration of Justice fund after payment from the city's Administration of Justice fund for the service credit transfers and before the effective date of this subdivision (a)(5), then the municipality is entitled to reimburse the general fund from the city's Administration of Justice fund for the amount of the transfers.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Faris
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Secretary