

**MARKED UP COPY - NOT THE OFFICIAL BILL. Words stricken are deleted from existing Code section. Words underlined are added to existing Code section.**

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative McGinnis**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 3, SUBCHAPTER 4 OF THE  
9 ARKANSAS CODE OF 1987 TO ALLOW INVESTMENT COUNSEL FEES TO  
10 BE PAID FROM BANK FUNDS; AND FOR OTHER PURPOSES."

11

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

13

14 SECTION 1. Arkansas Code §24-3-409 is hereby amended to read as  
15 follows:

16 "24-3-409. Investment authority and limitations - Trust account.

17 (a) In addition to the various retirement systems funds established as  
18 trust funds in the State Treasury, a bank trust fund or funds may be  
19 established and maintained in such depository bank or banks as may be  
20 designated by the boards of trustees of the respective retirement systems.

21 (b) Each bank fund shall consist of and there may be deposited in the  
22 fund:

23 (1) Any and all employer contributions, including any interest;

24 (2) Any and all employee contributions, including any interest;

25 (3) Interest, dividend, and other incomes realized from  
26 investments and reinvestments;

27 (4) Interest earned upon any moneys in the fund; and

28 (5) Such other proceeds as may be derived from the sale,  
29 exchange, redemption, transfer, or disposition of any securities or  
30 investments.

31 (c) The following disbursements may be made from the bank funds:

32 (1) Payments for any and all securities and investments, the  
33 purchase of which is authorized by law, which may include principal, accrued  
34 interest, commission, taxes, and fees;

35 (2) Payments for money manager and custodian bank fees. —

1 ~~\_\_\_\_\_ (2) (3)~~ The deposit to the appropriate State Treasury fund for the  
2 payment of annuities and refunds as authorized by law that are paid on  
3 vouchers issued by the respective retirement systems and on warrants issued  
4 thereon by the Auditor of State;

5 ~~\_\_\_\_\_ (3) (4)~~ The payment of annuities and refunds as authorized by law  
6 that are paid on cash fund vouchers issued by the respective retirement  
7 systems and on checks or wire transfers issued from bank funds; and

8 ~~\_\_\_\_\_ (4) (5)~~ The deposit to the appropriate State Treasury fund for the  
9 payments of salaries, maintenance, and operating expenses of the retirement  
10 systems supported from investment earnings."  
11

12 SECTION 2. All provisions of this act of a general and permanent nature  
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
14 Revision Commission shall incorporate the same in the Code.  
15

16 SECTION 3. If any provision of this act or the application thereof to  
17 any person or circumstance is held invalid, such invalidity shall not affect  
18 other provisions or applications of the act which can be given effect without  
19 the invalid provision or application, and to this end the provisions of this  
20 act are declared to be severable.  
21

22 SECTION 4. All laws and parts of laws in conflict with this act are  
23 hereby repealed.  
24

25 SECTION 5. EMERGENCY. It is hereby found and determined by the  
26 Seventy-Eighth General Assembly of the State of Arkansas that the amendments  
27 herein are essential to the continued operation of the Arkansas Retirement  
28 Systems. Therefore, an emergency is hereby declared to exist and this act  
29 being necessary for the immediate preservation of the public peace, health,  
30 and safety, shall be in full force and effect from and after July 1, 1991.