

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

A Bill

HOUSE BILL 1238

For An Act To Be Entitled

8 "AN ACT TO GRANT ACTIVE MEMBERS OF THE PUBLIC EMPLOYEES
9 RETIREMENT SYSTEM A SIX-MONTH TIME PERIOD IN WHICH TO
10 PURCHASE CREDIT IN THE TEACHER RETIREMENT SYSTEM FOR
11 OUT-OF-STATE SERVICE RENDERED PRIOR TO 1978; AND FOR OTHER
12 PURPOSES."

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

16 SECTION 1. (a) On or after July 1, 1991, until December 31, 1991, an
17 active member of the Public Employees Retirement System who was an active
18 member of the Teacher Retirement System prior to January 1, 1978, and who
19 became a member of the Public Employees Retirement System within thirty (30)
20 days of departure from the Teacher Retirement System, may contract with the
21 board of the Teacher Retirement System for out-of-state service rendered prior
22 to January 1, 1978, to be credited as service pursuant to Ark. Code §24-7-603
23 and in accordance with the provisions and conditions contained in Ark. Code
24 §24-7-601 and §24-7-603.

25 (b) Out-of-state service contracted pursuant to the provisions of this
26 act shall be credited as service in the Teacher Retirement System in
27 accordance with provisions in force before July 1, 1987.

29 SECTION 2. All provisions of this Act shall become null and void on
30 January 1, 1992. This section shall not affect the validity of any contracts
31 between an active member of the Public Employees Retirement System and the
32 board of Teacher Retirement System made prior to that date.

34 SECTION 3. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 4. If any provision of this act or the application thereof to
4 any person or circumstance is held invalid, such invalidity shall not affect
5 other provisions or applications of the act which can be given effect without
6 the invalid provision or application, and to this end the provisions of this
7 act are declared to be severable.

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9 SECTION 5. All laws and parts of laws in conflict with this Act are
10 hereby repealed.

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12 SECTION 6. Emergency. It is hereby found and determined by the General
13 Assembly that certain members of the Teacher Retirement System were provided
14 an opportunity to become members of the non-contributory division of the
15 Public Employees Retirement System in 1978; that such members were not
16 informed at the time that their election to change retirement systems would
17 adversely affect their ability to purchase out-of-state service credit in the
18 Teacher Retirement System; that fairness requires that such members be
19 provided a limited opportunity to now purchase such service credit provided
20 they otherwise meet all the conditions and requirements of current law and
21 that the effective date of this Act on July 1, 1991 is essential to avoid
22 irreparable harm upon the proper administration of the provisions of this Act.
23 Therefore, an emergency is hereby declared to exist and this Act being
24 necessary for the immediate preservation of the public peace, health and
25 safety shall be in full force and effect from and after July 1, 1991.

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27 */s/B. Stephens*

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