

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator C. Bell**

A Bill

SENATE BILL 128

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 4, SUBCHAPTER 7 OF THE
9 ARKANSAS CODE OF 1987 TO PROVIDE RETIREMENT BENEFITS TO
10 CERTAIN PERSONS RECEIVING DISABILITY PAYMENTS UNDER THE
11 SOCIAL SECURITY ACT; AND FOR OTHER PURPOSES."

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

14
15 SECTION 1. Title 24, Chapter 4, Subchapter 7 of the Arkansas Code of
16 1987 is hereby amended by adding a new section to read as follows:

17 "24-4-739. (a) Any person who has served four (4) full two-year terms
18 as a member of the *General Assembly* and who has been certified to receive
19 permanent, total disability payments under the provisions of the Social
20 Security Act shall be entitled to receive an annuity in the amount prescribed
21 in §24-4-706.

22 (b) Any person desiring to receive benefits under the provisions of the
23 section shall file a written application and written proof of certification
24 for Social Security disability payments with the Board of Trustees of the
25 Arkansas Public Employees' Retirement System.

26 (c) Payments under this section shall be prospectively only, commencing
27 not less than thirty (30) days nor more than ninety (90) days subsequent to
28 the execution and filing of the application."

29
30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

33
34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

4

5 SECTION 4. All laws and parts of laws in conflict with this act are
6 hereby repealed.

7

8 SECTION 5. EMERGENCY. It is hereby found and determined by the General
9 Assembly that the provisions of current retirement law provide retirement
10 benefits for members of the Arkansas General Assembly and the Constitutional
11 Officers but that certain members of the General Assembly who served eight (8)
12 years in the Arkansas General Assembly were not covered by the provisions of
13 said law, and that in order to remove this inequity, it is essential that
14 legislation be enacted to cover such members of the General Assembly and that
15 such legislation be given effect as soon as possible. Therefore, an emergency
16 is hereby declared to exist and this Act being necessary for the immediate
17 preservation of the public peace, health and safety shall be in full force and
18 effect from and after its passage and approval.

19

/s/Bell

20

21

22

23

24

25

26

27

28

29

30

31

32

33