

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

A Bill

SENATE BILL 158

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-8-311 TO ALLOW
9 DISABILITY BENEFITS FOR MUNICIPAL CLERKS WITH AT LEAST
10 SEVEN YEARS OF SERVICE; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code 24-8-311 is amended to read as follows:

15 "24-8-311. Eligibility for benefits - Clerks.

16 (a) Any clerk of a municipal court to which this subchapter applies,
17 appointed by the judges of the court, who shall attain the age of sixty (60)
18 years and who shall have served in office as clerk for at least ten (10)
19 years, or who shall have served in office for at least twenty (20) years,
20 irrespective of age, shall be eligible to receive retirement benefits provided
21 by this subchapter. If the clerk resigns, retires from office, or is succeeded
22 in office by another clerk, the clerk shall receive retirement benefits for
23 and during the remainder of his natural life in an amount equal to one-half
24 (1/2) of the salary payable to him at the time of resignation, retirement, or
25 succession in office.

26 (b) Upon the approval of the governing body of the municipality and
27 following a determination of the actuarial soundness of the fund from which
28 the benefits shall be paid, any court clerk of a municipal court who upon
29 reaching the age of sixty-eight (68) years will have served for a minimum of
30 seven (7) years immediately prior to severance from employment, may retire
31 with a reduced benefit in an amount equal to seven-tenths (7/10) of the
32 benefit payable under subsection (a) of this section.

33 (c) The board of trustees by resolution may provide retirement benefits
34 to a clerk who is incapacitated due to illness or disability and the clerk has
35 served for a minimum of seven (7) years. The clerk may retire with a reduced

1 benefit in an amount equal to seven-tenths (7/10) of the benefits payable
2 under subsection (a) of this section."

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4 SECTION 2. The provisions of this Act shall apply retroactively to
5 January 1, 1990.

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7 SECTION 3. All provisions of this Act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 4. If any provision of this Act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the Act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 Act are declared to be severable.

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

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20 /s/Todd

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