

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-8-215 TO ELIMINATE THE
9 REQUIREMENT THAT JUDGES RETIRE BY AGE SEVENTY (70)
10 OR LOSE THEIR RETIREMENT BENEFITS; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. Arkansas Code 24-8-215 (c) is hereby amended to read as
16 follows:

17 "(c) No judge or justice shall be penalized for remaining on the bench
18 after reaching seventy (70) years of age and any judge or justice who was
19 serving as such on January 1, 1991, and who reached seventy (70) years of age
20 after July 1, 1986, shall have restored all credited service he lost because
21 of remaining on the bench since reaching seventy (70) years of age."

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23 SECTION 2. All provisions of this act of a general and permanent nature
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
25 Revision Commission shall incorporate the same in the Code.

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

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33 SECTION 4. All laws or parts of laws in conflict with this act are
34 hereby repealed.

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1 SECTION 5. EMERGENCY. It is hereby found and determined by the General
2 Assembly that present law penalizes judges and justices for serving on the
3 bench after reaching seventy years of age; that such law is unfair; that this
4 act repeals such law and protects the retirement benefits of those judges now
5 serving who are beyond seventy years of age; and that this act should go into
6 effect immediately in order to eliminate the inequity as soon as possible.
7 Therefore, an emergency is hereby declared to exist, and this act being
8 immediately necessary for the preservation of the public peace, health and
9 safety shall be in full force and effect from and after its passage and
10 approval.

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