

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 3, SUBCHAPTER 2 OF THE
9 ARKANSAS CODE OF 1987, AS AMENDED, TO PROVIDE A CHANGE IN
10 BENEFIT FOR A SURVIVING SPOUSE OF CERTAIN MEMBERS OF THE
11 PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER
12 PURPOSES."

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

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16 SECTION 1. Arkansas Code §24-3-209(h) is hereby amended to read as
17 follows:

18 "(h) (1) The surviving spouse of a member who has served at least ten
19 (10) calendar years in the General Assembly shall be entitled to receive an
20 annuity equal to the amount of the full annuity which the member was receiving
21 or would have been entitled to receive had he been of retirement age.

22 (2) The spouse shall begin to receive the survivor benefits
23 provided in this section at age sixty (60) years if the member had at least
24 ten (10) actual years of General Assembly service, at age fifty-five (55)
25 years if the member had at least fourteen (14) actual years of General
26 Assembly service, and at age fifty (50) years if the member had at least
27 eighteen (18) actual years of General Assembly service.

28 (3) The benefits shall cease immediately upon the death or
29 remarriage of the surviving spouse.

30 (4) If, upon the death of a member of the General Assembly, the
31 surviving spouse is also eligible for the benefits provided in subsections (a)
32 - (g) of this section, then the benefits provided by this subsection shall be
33 the only benefit payable to the survivors of the member or former member.

34 (5) The provisions of this subsection shall apply to active,
35 deferred, and retired General Assembly members."

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

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

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

SECTION 5. EMERGENCY. It is hereby found and determined by the Seventy-Eighth General Assembly, that it is essential for the administration of a state supported retirement system that any benefit change contained in this act become effective on July 1, 1991, and that in the event of an extension of the Regular Session, the delay in the effective date of this act beyond July 1, 1991 could work irreparable harm upon the proper administration of the retirement system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991.