

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

SENATE BILL 430

4 **By: Senators Moore and Gibson**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 3, SUBCHAPTER 3 OF THE
9 ARKANSAS CODE OF 1987 TO PROVIDE CREDITED SERVICE FOR
10 CERTAIN MEMBERS OF THE ARKANSAS PUBLIC EMPLOYEES'
11 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

12

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

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15 SECTION 1. Subsection (b) of Arkansas Code §24-3-301 is hereby amended
16 to read as follows:

17 "(b) (1) Employment as a public safety member shall be credited at one
18 and one-half (1-1/2) times the regular rate for crediting service, except that
19 at least ten (10) years of actual service shall be required to meet the
20 retirement eligibility requirements of §§24-3-201(a) and (b), §24-3-206(a),
21 §24-3-207(a), and §24-3-208 and at least five (5) years of actual service
22 shall be required to meet the eligibility requirements of §24-3-209.

23 (2) Employment as Governor shall be credited as service at three
24 (3) times the regular rate for credited service, except that at least four (4)
25 years of actual service shall be required to meet the retirement eligibility
26 requirements of §§24-3-201(a) and (b), §24-3-206(a), §24-3-207(a), and
27 §24-3-208 and at least five (5) years of actual service shall be required to
28 meet the eligibility requirements of §24-3-209.

29 (3) Employment as an elected state constitutional officer shall
30 be credited at two and a half (2.5) times the regular rate for crediting
31 service, except that at least ten (10) years of actual service shall be
32 required to meet the retirement eligibility requirements of §§24-3-201(a) and
33 (b), §24-3-206(a), §24-3-207(a) and §24-3-208 and at least five (5) years of
34 actual service shall be required to meet eligibility requirements of §24-3-
35 209.

1 (4) Employment as an elected public official other than Governor or an
2 elected state constitutional officer shall be credited as service at two (2)
3 times the regular rate for crediting service, except that at least ten (10)
4 years of actual service shall be required to meet the retirement eligibility
5 requirements of §§ 24-3-201(a) and (b), §24-3-206(a), §24-3-207(a), and
6 §24-3-208 and at least five (5) years of actual service shall be required to
7 meet the eligibility requirements of §24-3-209.

8 (5) As used in this section, 'elected state constitutional officer'
9 means the Lieutenant Governor, Attorney General, Secretary of State, State
10 Auditor, State Treasurer, and Commissioner of State Lands."
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12 SECTION 2. Subsection (9) of Arkansas Code §24-3-102 is hereby amended
13 by adding a new paragraph to read as follows:

14 "(E) An elected state constitutional officer shall be eligible
15 to retire with thirty (30) years of credited service at age fifty-five (55)."
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17 SECTION 3. Subsection (h) of Arkansas Code §24-3-209 is hereby amended
18 to read as follows:

19 "(h) (1) The surviving spouse of a member who has served at least ten
20 (10) calendar years in the General Assembly shall be entitled to a benefit not
21 less than one hundred percent (100%) of the benefit the member was receiving
22 or would have been entitled to receive had he been of retirement age.

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

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

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

36 (5) The provisions of this subsection shall apply to active,

1 deferred, and retired General Assembly members as well as surviving spouses of
2 General Assembly members receiving benefits under this subsection on or after
3 February 1, 1991."

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5 SECTION 4. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

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

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

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18 SECTION 7. EMERGENCY. It is hereby found and determined by the
19 Seventy-Eighth General Assembly of the State of Arkansas that the
20 effectiveness of this Act on July 1, 1991 is essential to the operation of the
21 Arkansas Public Employees' Retirement System and that in the event of an
22 extension of the Regular Session, the delay in the effective date of this Act
23 beyond July 1, 1991 could work irreparable harm upon the proper administration
24 and provision of essential governmental programs. Therefore, an emergency is
25 hereby declared to exist and this Act being necessary for the immediate
26 preservation of the public peace, health and safety shall be in full force and
27 effect from and after July 1, 1991.

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/s/ Moore et al

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