

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative McGinnis**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-10-610 TO INCREASE THE  
9 AMOUNT OF THE LIMITATION ON DEATH AND DISABILITY ANNUITIES  
10 UNDER THE LOCAL POLICE AND FIRE RETIREMENT SYSTEM FROM  
11 NINETY PERCENT (90%) TO ONE HUNDRED PERCENT (100%) OF THE  
12 FINAL AVERAGE SALARY; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT TO INCREASE THE AMOUNT OF THE LIMIT ON DEATH AND  
15 DISABILITY ANNUITIES UNDER THE LOCAL POLICE AND FIRE  
16 RETIREMENT SYSTEM."  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. Arkansas Code § 24-10-610 is hereby amended to read as  
22 follows:

23 "24-10-610. Limitations on death and disability annuities.

24 (a) If a death annuity is payable on behalf of a member who dies in  
25 employer service before retirement, or for the portion of a disability annuity  
26 payable before a disability retirant's attainment of his normal retirement  
27 age, in no event shall the total amount of the system annuities based on paid  
28 service exceed one hundred percent (100%) of the amount of his final average  
29 pay at the time of death or disability, as the case may be, less the total of  
30 the following amounts:

31 (1) Workers' compensation, if any, on account of the death or  
32 disability;

33 (2) Benefits, if any, from social security on account of the  
34 death or disability;

35 (3) (A) If the recipient is a retirant, the remuneration, if any,

1 received by the retirant for personal services rendered by him in any gainful  
2 occupation.

3 (B) If the recipient is a beneficiary, the portion of the  
4 remuneration, if any, received by the beneficiary for personal services  
5 rendered by him in any gainful occupation which is more than the amount of the  
6 remuneration being received by the person at the time of the member's  
7 termination from covered employment.

8 (b)(1) Beginning with the January 1 which is at least twelve (12) full  
9 months after the effective date of an annuity, an amount of final average pay  
10 usable for the purposes of this section shall be redetermined each January 1,  
11 and the redetermined amount shall be applicable for the ensuing year.

12 (2) The redetermined amount shall be the amount of final average  
13 pay at the time of termination of covered employment increased by any  
14 percentage increase in the inflation index for the period from the October  
15 immediately preceding the effective date of the benefit to the October  
16 immediately preceding the January 1."

17

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

21

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

27

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

30

31

32

33

34

35

