

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL 1624

4 **By: Representatives Mullenix, Blair, Hendrix, and Pollan**

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7 **For An Act To Be Entitled**

8 "AN ACT TO ESTABLISH THE ARKANSAS FIRE FIGHTERS DEFERRED
9 RETIREMENT OPTION PLAN; AND FOR OTHER PURPOSES."

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11 **Subtitle**

12 "AN ACT TO ESTABLISH THE ARKANSAS FIRE FIGHTERS DEFERRED
13 RETIREMENT OPTION PLAN."

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

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17 SECTION 1. Deferred retirement option plan.

18 (a) In lieu of terminating employment and accepting a service
19 retirement pension pursuant to Arkansas Code §§ 24-11-801 et seq., any *full*
20 *paid* fire fighter who is a member of a firemen_s pension and relief fund who
21 has not less than twenty (20) years of credited service and who is eligible to
22 receive a service retirement pension may elect to participate in the Arkansas
23 Fire Fighters Deferred Retirement Option Plan and defer the receipts of
24 benefits in accordance with the provisions of this act, *provided the local*
25 *fireman's pension and relief fund board of trustees approves the participation*
26 *in the plan.*

27 (b) For purposes of this act, credited service shall include service
28 credit recognized pursuant to Arkansas Code §§ 24-11-801 et seq.

29 (c) The duration of participation in the Arkansas Fire Fighters
30 Deferred Retirement Option Plan for active *full paid* fire fighters shall not
31 exceed five (5) years. At the conclusion of a member_s participation in the
32 Arkansas Fire Fighters Deferred Retirement Option Plan, the member shall
33 terminate employment with all participating municipalities as a fire fighter,
34 and shall start receiving the member_s accrued monthly retirement benefit from
35 the firemen_s pension and relief fund.

1 (d) When a member begins participation in the Arkansas Fire Fighters
2 Deferred Retirement Option Plan, the contribution of the fire fighter and the
3 employer contribution shall continue to be paid. Municipal matching
4 contributions for employees who elect the Arkansas Fire Fighters Deferred
5 Retirement Option Plan shall be credited equally to the firemen_s pension and
6 relief fund and to the Arkansas Fire Fighters Deferred Retirement Plan. The
7 monthly retirement benefits that would have been payable had the member
8 elected to cease employment and receive a service retirement shall be paid
9 into the Arkansas Fire Fighters Deferred Retirement Option Plan Account.

10 (e) (1) The member's monthly retirement benefit shall not change, unless
11 the plan receives a benefit increase.

12 (2) A member who participates in this plan shall earn interest at
13 a rate of two (2) percentage points below the rate of return of the investment
14 portfolio of the firemen_s pension and relief fund, but no less than the
15 actuarial assumed interest rate as certified by the actuary. The interest
16 shall be credited to the individual account balance of the member on an annual
17 basis.

18 (f) A participant in the plan shall receive at the option of the
19 participant, a lump sum payment from the account equal to the payments to the
20 account, or a true annuity based upon the account of the participant or may
21 elect any other method of payment if approved by the board of trustees.

22 (g) If the participant dies during the period of participation in the
23 plan, a lump sum payment equal to the account balance of the participant shall
24 be paid.

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

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

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

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/s/Ted E. Mullenix, et al

As Engrossed: 3/4/93 3/9/93

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