

As Engrossed: 3/9/93

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

A Bill

HOUSE BILL 1656

For An Act To Be Entitled

8 "AN ACT TO TRANSFER THE RETIREMENT MEMBERSHIP OF THE
9 DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS FROM
10 THE JUDICIAL RETIREMENT SYSTEM TO THE PUBLIC EMPLOYEES_
11 RETIREMENT SYSTEM; TO REPEAL ARKANSAS CODE § 24-8-208; TO
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO TRANSFER THE RETIREMENT OF THE DIRECTOR OF THE
15 ADMINISTRATIVE OFFICE OF THE COURTS FROM THE JUDICIAL
16 RETIREMENT SYSTEM TO PERS."

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

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21 SECTION 1. (a) Effective July 1, 1993, the Director of the
22 Administrative Office of the Courts shall cease to be a member of the Judicial
23 Retirement System. At that time, the Director of the Administrative Office of
24 the Courts shall become a member of the Arkansas Public Employees_ Retirement
25 System.

26 (b) (1) *The retirement and survivor_s benefit to be received by the*
27 *Director of the Administrative Office of the Courts occupying the position on*
28 *the effective date of this act shall not be less than that which he would have*
29 *received under the provisions of Arkansas Code § 24-8-218, including any*
30 *increases after retirement, had he or she remained in the Judicial Retirement*
31 *System. Provided, further, he or she shall meet the eligibility requirements*
32 *of Arkansas Code § 24-8-215 and § 24-8-218 in order to receive the retirement*
33 *and survivor_s benefits provided under Arkansas Code § 24-8-218 and shall meet*
34 *the requirements of Arkansas Code § 24-8-217 in order to receive the*
35 *disability benefits provided under Arkansas Code § 24-8-218.*

1 (2) The State of Arkansas, as employer, shall contribute to the
2 Public Employees_ Retirement System twelve percent (12%) of the salary amount
3 of the Director of the Administrative Office of the Courts occupying the
4 position on the effective date of this act. The Director of the
5 Administrative Office of the Courts occupying the position on the effective
6 date of this act shall contribute six percent (6%) of his or her pay until
7 such time as he or she is eligible for retirement under the provisions of
8 Arkansas Code § 24-8-215. Provided, further, all contributions made to the
9 Judicial Retirement System by the employer on behalf of the Director occupying
10 the position on the effective date of this act, and all contributions made by
11 the director, shall be transferred to the Arkansas Public Employees_
12 Retirement System. In the event the Director ceases to be a member prior to
13 qualifying for retirement benefits, he or she shall be entitled to a refund of
14 all contributions paid into the system by the Director.

15 (3) The retirement benefit to be received by any new person
16 occupying the position of Director of the Administrative Office of the Courts
17 after the effective date of this act shall be based upon the regular annuity
18 and benefit provisions for the Arkansas Public Employees_ Retirement System.
19 The contributions to be made by the employer shall be the same as those
20 required for the State Division of the Arkansas Public Employees_ Retirement
21 System. The person occupying the position thereafter shall not make
22 contributions to the system.

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24 SECTION 2. (a) Effective July 1, 1993, Arkansas Code § 24-8-208 is
25 hereby repealed.

26 (b) All other laws and parts of laws in conflict with this act are
27 hereby repealed.

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29 SECTION 3. All provisions of this act of general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 4. If any provisions of this act or the application thereof to
34 any person or circumstance is held invalid, the invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provisions or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 5. Emergency. It is hereby found and determined by the
5 Seventy-Ninth General Assembly of the State of Arkansas that the only
6 unelected position covered under the Judicial Retirement System is the
7 Director of the Administrative Office of the Courts, that this position should
8 be covered under the Arkansas Public Employees_ Retirement System, and that it
9 is necessary for the proper administration of justice in Arkansas to provide
10 this transfer shall be effective on July 1, 1993. Therefore, an emergency is
11 hereby declared to exist, and this act being necessary for the immediate
12 preservation of the public peace, health, and safety, shall be in full force
13 and effect from and after July 1, 1993.

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/s/J. Mahony

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