

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

# A Bill

**HOUSE BILL**

4 **By: Representative McKissack**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 24-8-307  
9 PERTAINING TO RETIREMENT BENEFITS OF MUNICIPAL COURT  
10 JUDGES; AND TO DECLARE AN EMERGENCY; AND FOR OTHER  
11 PURPOSES."

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## **Subtitle**

14 "TO AMEND ARKANSAS CODE §24-8-307 PERTAINING TO RETIREMENT  
15 BENEFITS OF MUNICIPAL COURT JUDGES."

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

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19 SECTION 1. Arkansas Code § 24-8-307 is hereby amended by adding a new  
20 subsection (e) to read as follows:

21 "(e) Upon the approval of a majority of the city council or board of  
22 directors of a city of the first or second class, and the approval of the  
23 quorum court of the county, any person at any age who shall have served at  
24 least five (5) years as a deputy prosecuting attorney and three (3) years with  
25 any state agency and has held the office of municipal judge not less than  
26 twelve (12) years, for a total of twenty (20) years, or at age fifty (50)  
27 shall have sixteen (16) years of service, with not less than eight (8) years  
28 as municipal judge and at least five (5) years as a deputy prosecuting  
29 attorney and three (3) years with any state agency for a total of sixteen (16)  
30 years shall be eligible to receive retirement benefits provided by this  
31 subchapter. If the judge resigns, retires from office, or is succeeded in  
32 office by another judge, he shall receive retirement benefits for and during  
33 the remainder of his natural life in an amount equal to one-half (1/2) of the  
34 salary payable to him at the time of his resignation, retirement, or  
35 succession in office. If incapacitating illness or disability should occur

1 during the final term for qualification under these provisions, then the judge  
2 so elected shall be eligible to retire at the one-half (1/2) pay as provided  
3 in this section. In addition thereto, the surviving widow of the qualifying  
4 judge shall be entitled to the benefits provided in this subchapter, until her  
5 death or remarriage."

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

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

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

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20 SECTION 5. EMERGENCY. It is hereby found and determined by the Seventy  
21 Ninth General Assembly that the retirement eligibility law for municipal  
22 judges is inadequate; that this act makes the necessary changes to include  
23 eligibility criteria not now in the law; and this act should be given effect  
24 as soon as possible. Therefore, an emergency is hereby declared to exist and  
25 this act being necessary for the immediate preservation of the public peace,  
26 health and safety shall be in full force and effect from and after its passage  
27 and approval.

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