

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/5/03
A Bill

HOUSE BILL 1131

5 By: Representative R. Smith
6 By: Senator J. Jeffress
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8

9 **For An Act To Be Entitled**

10 AN ACT TO AUTHORIZE A RETIREE FROM THE LOCAL
11 POLICE AND FIRE RETIREMENT SYSTEM TO RETURN TO
12 ACTIVE EMPLOYMENT AND BECOME A MEMBER OF THE
13 SYSTEM; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 AN ACT TO AUTHORIZE A RETIREE FROM THE
17 LOCAL POLICE AND FIRE RETIREMENT SYSTEM
18 TO RETURN TO ACTIVE EMPLOYMENT AND
19 BECOME A MEMBER OF THE SYSTEM.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 24-10-504 is amended to read as follows:
25 24-10-504. Forfeiture and restoration.

26 (a)(1) When a member is no longer employed by any employer in covered
27 employment, he or she shall thereupon cease to be a member of the Arkansas
28 Local Police and Fire Retirement System.

29 (2) Except as otherwise provided in this chapter, upon
30 termination of his or her membership his or her credited service shall be
31 forfeited by him or her.

32 (3) If the person ~~is not a retiree and~~ becomes reemployed by
33 any employer in covered employment, he or she shall again become a member of
34 the system under subdivision (a)(4) of this section.

35 (4) Upon his or her reemployment, his or her credited service
36 last forfeited by him or her shall be restored to his or her credit, but only



1 if he or she returns to the system the amount, if any, he or she withdrew
2 therefrom, together with regular interest from the date of withdrawal to the
3 date of repayment.

4 (b) Upon a member's retirement, he or she shall thereupon cease to be
5 a member. Except as otherwise provided in this chapter, he or she shall not
6 again become a member of the system.

7 (c)(1) Should a former member entitled to a vested annuity provided
8 for in § 24-10-611 reenter covered employment before becoming a retirant, he
9 or she shall thereupon cease to be entitled to a vested annuity, and he or
10 she shall become a member, with his or her previous credited service
11 reactivated and to be increased by the reemployment.

12 (2)(A) If a former member entitled to a vested annuity under §
13 24-10-611 reenters covered employment after becoming a retirant, the former
14 member may again become a member with previous credited service restored and
15 increased by the period of reemployment, but only if the former member:

16 (i) Was a retirant for at least thirty (30) days;
17 and

18 (ii) Remains reemployed for at least twelve (12)
19 months.

20 (B) During the time of reemployment, the retirement
21 benefits shall not be paid.

22 (C) The former member may exercise the reemployment option
23 under this subdivision (c)(2) one (1) time only.

24 (D)(1) At the end of the period of reemployment, the retirement
25 benefit will be recalculated using service time, including the reemployment
26 service, and final average pay.

27 (2) However, the final average pay shall be the same final
28 average pay used initially to calculate the retirement benefit, unless the
29 period of reemployment lasts at least thirty-six (36) months, then the final
30 average pay will be recalculated as defined under § 24-10-102(15).

31 (d)(1) Upon the retirement of a member whose credited service results
32 from employment with more than one (1) employer, the amount of his or her
33 annuity shall be based upon his or her total credited service in force at the
34 time of his or her retirement and his or her final average pay during the
35 total credited service.

36 (2) Each employer shall be responsible financially, within the

1 provisions of this chapter, for the portion of the annuity based upon the
2 service credited the member for employment with the employer, and the benefit
3 program to be applied to each portion of credited service shall be the
4 benefit program the employer had in effect at the time the member left the
5 employment of the employer.

6 (e) If it is determined by the Board of Trustees of the Arkansas Local
7 Police and Fire Retirement System at any time that continuous employment to
8 the time of retirement will leave a member with less than the minimum number
9 of years of credited service specified in § 24-10-604, then, upon that
10 determination, the member shall cease to be a member.

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/s/ R. Smith