

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

A Bill

HOUSE BILL 1233

5 By: Representative King
6
7

For An Act To Be Entitled

9 AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY
10 TO VEST IN THE ARKANSAS PUBLIC EMPLOYEE'S
11 RETIREMENT SYSTEM WITH FIVE (5) YEARS ACTUAL
12 SERVICE; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO ALLOW MEMBERS OF THE GENERAL
16 ASSEMBLY VEST IN THE ARKANSAS PUBLIC
17 EMPLOYEE'S RETIREMENT SYSTEM WITH FIVE
18 (5) YEARS ACTUAL SERVICE.
19
20

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

23 SECTION 1. Arkansas Code § 24-4-101(28), concerning the definition to
24 be used in the chapters of the Arkansas Code creating the Arkansas Public
25 Employees' Retirement System, is amended to read as follows:

26 (28) "Normal retirement age" means, for a member, the youngest of the
27 following ages:

28 (A) Age sixty (60) and with twenty (20) or more years of actual
29 service for a contributory member; or

30 (B) Age sixty-five (65) with five (5) or more years of actual
31 service, ~~except for a member of the General Assembly who must have ten (10)~~
32 ~~or more years of actual service if he or she only has service as a member of~~
33 ~~the General Assembly;~~

34 (C) If the provisions of § 24-4-521 are used to determine any
35 portion of total credited service, then the age upon completion of thirty-
36 five (35) years of credited service, but in no event to an age younger than



1 fifty-five (55);

2 (D) For a noncontributory member with credited service for
 3 employment as a public safety employee or as a sheriff, age sixty-five (65)
 4 reduced by one (1) month for each two (2) months of such credited service,
 5 but in no event to an age younger than fifty-five (55), except in the case of
 6 a sheriff who has a minimum of ten (10) years of actual service as a sheriff
 7 or who has eight (8) years of actual service as a sheriff and a minimum of
 8 two (2) years of service in another state-supported retirement system, for
 9 whom the minimum retirement age shall be fifty-two (52);

10 (E) The age upon completion of twenty-eight (28) years of
 11 credited service, if the provisions of § 24-4-521 are not used to determine
 12 any portion of such credited service;

13 (F) For a member of the General Assembly with twelve (12) years
 14 of actual service, ten (10) of which must be as a member of the General
 15 Assembly, at age fifty-five (55). A member of the General Assembly who was
 16 either serving in the General Assembly on July 1, 1979, or held an elected
 17 office on July 1, 1979, shall be eligible to retire with seventeen and one-
 18 half (17 1/2) years of actual service regardless of age;

19 (G) An elected state constitutional officer shall be eligible to
 20 retire with twenty-eight (28) years of credited service at age fifty-five
 21 (55); and

22 (H) Notwithstanding subdivision (28)(C) of this section, in the
 23 case of a deputy sheriff who has a minimum of twenty-five (25) years of
 24 actual service as a deputy sheriff, the minimum retirement age shall be
 25 fifty-two (52);

26

27 SECTION 2. Arkansas Code § 24-4-301(a)(2)(C)(i) and (ii), concerning
 28 membership in the Arkansas Public Employees Retirement as condition to
 29 employment, is amended to add an additional subsection to read as follows:

30 (C)(i) A person who is first elected as a member of the General
 31 Assembly on or after July 1, 1999, shall have his or her employment covered
 32 as a regular state employee member in lieu of coverage under special
 33 provisions relating to General Assembly members or to elected officials.
 34 However, if the member's only service under an Arkansas retirement plan is
 35 service as a member of the General Assembly, then the member must have ~~ten~~
 36 ~~(10)~~ five (5) or more years of actual service to be eligible for benefits.

1 (ii) A person who was first elected as a member of the General
 2 Assembly before July 1, 1999, may elect to have his or her employment covered
 3 as a regular state employee member in lieu of coverage under special
 4 provisions relating to General Assembly members or to elected officials.
 5 However, if the member's only service under an Arkansas retirement plan is
 6 service as a member of the General Assembly, then the member must have ~~ten~~
 7 five (5) or more years of actual service to be eligible for benefits.
 8 The member may make the election at any time.

9
 10 SECTION 3. Arkansas Code § 24-4-511(a)(1)(A), concerning eligibility
 11 for disability retirement benefits under the Arkansas Public Employees
 12 Retirement System, is amended to read as follows:

13 (a)(1)(A) ~~Except for members of the General Assembly who need at least~~
 14 ~~ten (10) years of actual service, any~~ Any active member with five (5) or more
 15 years of actual service, including actual service for at least eighteen (18)
 16 of the twenty-four (24) calendar months immediately preceding his or her
 17 disability, who becomes totally and permanently physically or mentally
 18 incapacitated for any suitable job or position as an employee as a result of
 19 a personal injury or disease may be retired by the Board of Trustees of the
 20 Arkansas Public Employees' Retirement System upon written application filed
 21 with the board by or on behalf of the member.

22
 23 SECTION 4. Arkansas Code § 24-4-521(b)(4)(A), concerning credited
 24 service under the Arkansas Public Employees' Retirement System, is amended to
 25 read as follows:

26 (4)(A) Noncontributory employment as a member of the General Assembly
 27 shall be credited at the regular rate for crediting service, except that at
 28 least ~~ten (10)~~ five (5) years of actual service shall be required to meet the
 29 retirement eligibility requirements of §§ 24-4-510, 24-4-511, and 24-4-609,
 30 and at least five (5) years of actual service shall be required to meet the
 31 eligibility requirements of § 24-4-608.