

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: S2/20/03

A Bill

SENATE BILL 108

5 By: Senator Faris
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For An Act To Be Entitled

9 *AN ACT TO REQUIRE CERTAIN EMPLOYEES OF*
10 *MUNICIPALITIES THAT ARE PARTICIPATING EMPLOYERS*
11 *UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT*
12 *SYSTEM TO BECOME MEMBERS OF THE SYSTEM UNLESS*
13 *THEY OPT OUT; TO EXTEND THE DEFINITION OF PAID*
14 *NONUNIFORMED EMPLOYEES IN MUNICIPALITIES WITH*
15 *NONUNIFORMED EMPLOYEES' PENSION FUNDS; AND FOR*
16 *OTHER PURPOSES.*

Subtitle

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19 *TO REQUIRE CERTAIN EMPLOYEES OF CITIES*
20 *THAT PARTICIPATE UNDER THE PUBLIC*
21 *EMPLOYEES' RETIREMENT SYSTEM TO BECOME*
22 *MEMBERS UNLESS THEY OPT OUT AND TO*
23 *EXTEND THE DEFINITION OF PAID*
24 *NONUNIFORMED EMPLOYEES IN CITIES.*

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 24-4-303(a) is amended to read as follows:

30 (a)(1)(A) *Any municipality may elect to become a participating public*
31 *employer and to cover its employees under the Arkansas Public Employees'*
32 *Retirement System either by a three-fifths (3/5) vote of its governing body*
33 *or by a majority vote of the qualified voters of the municipality.*

34 (B) However, the mayor and city clerk of a first class
35 city who are serving in a municipality that participates in the Arkansas
36 Public Employees' Retirement System shall become participating employees



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1 under the system on the first day of the first full month ninety (90) days
2 after taking office unless the mayor or city clerk opts to participate in the
3 local retirement benefit under §§ 24-12-121 or 24-12-123.

4 (2) The clerk or recorder of each municipality electing to
5 become a participating public employer shall certify the vote to the Board of
6 Trustees of the Arkansas Public Employees' Retirement System within ten (10)
7 days after the vote of the governing body or the canvass of the votes of the
8 electorate, as the case may be.

9 (3) The effective date of coverage under the system shall be
10 either the first day of the calendar month next following receipt by the
11 board of the election results or the July 1 next following the receipt, as
12 determined by the vote.

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14 SECTION 2. Arkansas Code § 24-12-101 is amended to read as follows:

15 24-12-101. Definitions.

16 As used in this act, unless the context otherwise requires, "paid
17 nonuniformed employees" means ~~the~~:

18 (1) The mayor, city attorney, city treasurer, city clerk, or
19 municipal judge of any city to which this act is applicable when the mayor,
20 city attorney, city treasurer, city clerk, or municipal judge elects to be so
21 included; and

22 (2) The other full time, paid nonuniformed employees of the
23 city.

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25 /s/ Faris
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