

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

# A Bill

SENATE BILL 138

4  
5 By: Senator Faris  
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## For An Act To Be Entitled

8  
9 AN ACT TO ALLOW DISTRICT JUDGES TO PURCHASE  
10 CREDITED SERVICE UNDER THE ARKANSAS PUBLIC  
11 EMPLOYEES RETIREMENT, AND FOR OTHER PURPOSES.  
12

## Subtitle

13  
14 AN ACT TO ALLOW DISTRICT JUDGES TO  
15 PURCHASE CREDITED SERVICE UNDER THE  
16 ARKANSAS PUBLIC EMPLOYEES RETIREMENT.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 24-8-312 is amended to read as follows:

22 24-8-312. Right of transfer from or purchase of credit in Arkansas  
23 Public Employees' Retirement System or a reciprocal system.

24 (a)(1) A judge of a municipal court and a clerk of a municipal court  
25 who, on March 23, 1973, were covered by the provisions of the Municipal  
26 Section of the Arkansas Public Employees' Retirement System shall, prior to  
27 January 1, 1982, make an election in writing as to whether to continue as a  
28 member of the Arkansas Public Employees' Retirement System in lieu of  
29 participating in the retirement benefits in this subchapter.

30 (2) In the event any such municipal judge or municipal court  
31 clerk shall elect to receive retirement benefits under this subchapter, they  
32 shall cease to be members of the Arkansas Public Employees' Retirement  
33 System.

34 (3) Any district judge currently under the Arkansas Public  
35 Employees Retirement may purchase credited service for prior years of service  
36 under another plan.



1 (b)(1) In the case of all municipal judges and municipal court clerks  
 2 who elected, in the manner provided in this subchapter, to receive retirement  
 3 benefits under the provisions of this subchapter in lieu of benefits provided  
 4 as a member of the Arkansas Public Employees' Retirement System, all  
 5 contributions paid by the municipal judge or the municipal court clerk and  
 6 all employer matching contributions paid to the Arkansas Public Employees'  
 7 Retirement System in behalf of the municipal judge or the municipal court  
 8 clerk shall be remitted, upon written request therefor by the board of  
 9 trustees, as established in § 24-8-302 by the Arkansas Public Employees'  
 10 Retirement System from the employer and employee accounts of the Municipal  
 11 Section of the Arkansas Public Employees' Retirement System Fund to the board  
 12 of trustees.

13 (2) Upon receipt of the contributions, the board of trustees  
 14 shall deposit the contributions in the fund established for the payment of  
 15 retirement benefits to retired municipal judges and municipal court clerks in  
 16 the city as provided in this subchapter.

17 (c)(1) Any municipal court clerk or former municipal court clerk who  
 18 was covered by the Arkansas Public Employees' Retirement System at the time  
 19 of the municipal service or was eligible for coverage at that time who  
 20 withdrew the service and the accumulated contributions to the system and who  
 21 later becomes a member of the Arkansas Public Employees' Retirement System or  
 22 of a reciprocal system shall, upon meeting the requirements prescribed in  
 23 this subsection, be entitled to have the time of complete municipal service  
 24 restored to his or her credit.

25 (2) In order for the member of the system or of the reciprocal  
 26 system to be eligible to have the service credit restored, the member:

27 (A) Shall not be currently receiving benefits under the  
 28 system or a reciprocal system;

29 (B) Shall be entitled to purchase no more than ten (10)  
 30 years for the service rendered by the member as a municipal court clerk;

31 (C) Shall have at least ten (10) years' credited service  
 32 with the system or a reciprocal system at the time of the purchase;

33 (D) Shall not have received credited service in the system  
 34 or a reciprocal system in another state-supported retirement system or in a  
 35 retirement system of the city in which the member was employed for the time  
 36 period for which credit is being sought; and

1                   (E) Contributes to the members' deposit account a sum of  
2 money equal to the amount he, and if the employer contributions were  
3 returned, the amount the employer, would have contributed to the account had  
4 he been a member of the system or a reciprocal system during the period of  
5 service with the municipal court for which the member is establishing credit.  
6 This amount shall be based upon his, and if the employer contributions were  
7 returned, the employer's, monthly contribution at the time of the member's  
8 service with the municipal court for which the member is establishing credit  
9 and interest thereon at the rate of six percent (6%) with interest compounded  
10 annually.

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