

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 85

4
5 By: Senator J. Key

For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT THE ONSET OF A DISABILITY MUST
9 OCCUR WHILE EMPLOYED AS AN ACTIVE MEMBER IN ORDER TO
10 QUALIFY FOR DISABILITY RETIREMENT UNDER THE ARKANSAS
11 TEACHER RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY;
12 AND FOR OTHER PURPOSES.

Subtitle

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16 TO CLARIFY THAT THE ONSET OF A DISABILITY
17 MUST OCCUR WHILE EMPLOYED AS AN ACTIVE
18 MEMBER IN ORDER TO QUALIFY FOR DISABILITY
19 RETIREMENT UNDER THE ARKANSAS TEACHER
20 RETIREMENT SYSTEM; TO DECLARE AN
21 EMERGENCY.

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

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26 SECTION 1. Arkansas Code § 24-7-704(a)(1)(C), concerning disability
27 retirement requirements and findings by the medical committee under the
28 Arkansas Teacher Retirement System, is amended to read as follows:

29 (C) The member ~~may be retired~~ is qualified to receive
30 disability retirement benefits if ~~a review of the member's application and~~
31 ~~accompanying documentation is conducted by the medical committee and by~~
32 majority opinion the medical committee reports to the board ~~by majority~~
33 ~~opinion~~ in writing that its review of the member's application and
34 accompanying documentation finds:

35 (i) The member is physically or mentally
36 incapacitated;



1 (ii) The member was employed as an active member at
2 the onset of the physical or mental incapacitation;

3 (iii) The member is unable to perform his or her
4 current work duties;

5 ~~(iii)~~(iv) The incapacity will most likely be
6 permanent; and

7 ~~(iv)~~(v) The member should be retired.
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9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly of the State of Arkansas that certain provisions of the
11 Arkansas Teacher Retirement System statutes are badly in need of revision and
12 updating to bring them into conformance with sound public pension policy;
13 that this revision and updating is of great importance to members of the
14 Arkansas Teacher Retirement System and to other citizens of the State of
15 Arkansas; that the Arkansas Teacher Retirement System operates on a July 1 to
16 June 30 fiscal year so most changes to the Arkansas Teacher Retirement System
17 plan work best if the changes are made at the beginning of a fiscal year; and
18 that this act is necessary to maintain an orderly system of benefits for the
19 members of the Arkansas Teacher Retirement System. Therefore, an emergency
20 is declared to exist and this act being necessary for the preservation of the
21 public peace, health, and safety shall become effective on July 1, 2011.
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