

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1135

5 By: Representative Lenderman
6

For An Act To Be Entitled

8 AN ACT TO ALLOW ELIGIBLE SURVIVORS TO RECEIVE
9 BENEFITS FROM THE ARKANSAS TEACHER RETIREMENT SYSTEM
10 FROM THE DATE THAT AN APPLICATION FOR SURVIVOR
11 BENEFITS IS FILED WITH THE SYSTEM; TO CLARIFY THE
12 DATE ON WHICH A SURVIVING SPOUSE MAY BEGIN RECEIVING
13 BENEFITS; TO DECLARE AN EMERGENCY; AND FOR OTHER
14 PURPOSES.
15

Subtitle

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18 TO ALLOW ELIGIBLE SURVIVORS TO RECEIVE
19 BENEFITS FROM THE DATE AN APPLICATION FOR
20 SURVIVOR BENEFITS IS FILED; TO CLARIFY
21 SURVIVING SPOUSE BENEFITS; AND TO DECLARE
22 AN EMERGENCY.
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 24-7-710(a)(2), concerning survivor annuity
28 benefits, is amended to add an additional subdivision to read as follows:

29 (a)(2) An eligible survivor is entitled to receive benefits from
30 the date that an application for survivor benefits for the eligible survivor
31 is filed with the system.
32

33 SECTION 2. Arkansas Code § 24-7-710(b)(1)(B) and (C), concerning
34 survivor annuity benefits, is amended to read as follows:

35 (B) The surviving spouse's benefits shall begin in the
36 month ~~following the month of the member's death~~ the system receives a



1 completed application for the surviving spouse's benefits if at the time of
2 the member's death the member had:

3 (i) Accumulated twenty-five (25) years or more of
4 credited service and qualified as eligible to receive a retirement annuity
5 under §§ 24-7-701 and 24-7-702; or

6 (ii) Reached sixty (60) years of age and qualified
7 as eligible to receive a retirement annuity under § 24-7-707.

8 (C) If the surviving spouse is not eligible to receive
9 benefits under subdivision (b)(1)(B) of this section, the surviving spouse's
10 benefits shall begin ~~in~~ the later of either the month following the date the
11 member would have been eligible to receive benefits had the member survived
12 or the date that an application for a surviving spouse's benefits is filed
13 with the system.

14
15 SECTION 3. Arkansas Code § 24-7-710(e), concerning survivor annuity
16 benefits, is repealed.

17 ~~(e) Annuities payable under this section shall begin the first day of~~
18 ~~the calendar month following the date the survivor annuity is payable as~~
19 ~~provided in this section.~~

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21 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
22 General Assembly of the State of Arkansas that provisions of the Arkansas
23 Teacher Retirement System Act are in need of revision and updating to
24 maintain the act in conformance with sound public pension policy; that the
25 Arkansas Teacher Retirement System operates on a July 1 to June 30 fiscal
26 year; and that these provisions are necessary to provide proper
27 administration to benefits to begin on the first day of the fiscal year; that
28 such revisions and updating are of great importance for actuarial purposes
29 and to protect the benefits for members of the Arkansas Teacher Retirement
30 System. Therefore, an emergency is declared to exist, and this act being
31 necessary for the preservation of the public peace, health, and safety shall
32 become effective on July 1, 2013.