

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1316

5 By: Representative S. Smith  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING ELIGIBILITY FOR A  
9 DEPENDENT CHILD ANNUITY UNDER THE ARKANSAS TEACHER  
10 RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR  
11 OTHER PURPOSES.  
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## Subtitle

14 TO AMEND THE LAW CONCERNING ELIGIBILITY  
15 FOR A DEPENDENT CHILD ANNUITY UNDER THE  
16 ARKANSAS TEACHER RETIREMENT SYSTEM; AND  
17 TO DECLARE AN EMERGENCY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 24-7-710(c)(2), concerning a child who may  
24 be considered a dependent child of a member and eligibility for a dependent  
25 child annuity, is amended to read as follows:

26 (2)(A) A child shall be considered a dependent child and  
27 eligible for the dependent child annuity until he or she reaches eighteen  
28 (18) years of age.

29 (B)(i) ~~However, eligibility for the dependent child~~  
30 ~~annuity shall continue after the~~ The child reaches of a deceased member is  
31 considered a dependent child and is eligible for the dependent child annuity  
32 at eighteen (18) years of age or older, but not older than twenty-three (23)  
33 years of age, if the child continues consecutively if the dependent child  
34 stays continuously enrolled as a full-time student at an accredited secondary  
35 school, college, or university, ~~but in any event, not beyond twenty three~~  
36 ~~(23) years of age.~~



1 (ii) ~~Any~~ Regardless of age, a deceased member's  
 2 child who has been deemed physically or mentally incapacitated by a court of  
 3 competent jurisdiction is eligible to receive a dependent child annuity for  
 4 as long as the incapacity exists, ~~regardless of age.~~

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 6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 7 General Assembly of the State of Arkansas that certain provisions of the  
 8 Arkansas Teacher Retirement System Act, an act that created a state agency  
 9 for the purpose of providing retirement benefits to school employees of the  
 10 state, are in need of revision and updating to maintain the teacher  
 11 retirement laws in conformance with sound public pension policy; that the  
 12 Arkansas Teacher Retirement System operates on a fiscal year of July 1 to  
 13 June 30; that a July 1, 2019 effective date is necessary to allow the  
 14 provisions within this act to begin on the first day of the fiscal year to  
 15 provide proper administration of the procedures referenced in this act; that  
 16 the updates and revisions to the Arkansas Teacher Retirement System Act are  
 17 of great importance for actuarial purposes and the protection of member  
 18 benefits under the Arkansas Teacher Retirement System; and that this act is  
 19 necessary in order to maintain an orderly system of benefits for the members  
 20 of the Arkansas Teacher Retirement System. Therefore, an emergency is  
 21 declared to exist, and this act being necessary for the preservation of the  
 22 public peace, health, and safety shall become effective on July 1, 2019.