

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

A Bill

SENATE BILL 209

5 By: Senator Rapert
6 By: Representative Warren
7

For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 24 OF
10 THE ARKANSAS CODE CONCERNING RETIREMENT AND PENSIONS;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 24
16 OF THE ARKANSAS CODE CONCERNING
17 RETIREMENT AND PENSIONS.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 24-7-901 is amended to read as follows to
23 remove unused defined terms, conform to Code style, and correct an obsolete
24 reference:

25 24-7-901. Definitions.

26 As used in this subchapter, unless the context otherwise requires:

27 (1) "Alternate retirement plan" means a retirement plan based on
28 the purchase of contracts providing retirement and death benefits for the
29 instructors and administrative staff of the technical institutes or
30 postsecondary vocational-technical schools of the State of Arkansas and the
31 staff of the Department of ~~Workforce~~ Career Education and which has been
32 approved by the ~~board~~ Career Education and Workforce Development Board;

33 ~~(2) "Board" means the State Board of Workforce Education and~~
34 ~~Career Opportunities;~~

35 ~~(3) "Department" means the Department of Workforce Education;~~

36 ~~(4) "Director" means the Director of the Department of Workforce~~



1 ~~Education;~~

2 ~~(5)(2)~~ “Retirement system” means the Arkansas Teacher Retirement
3 System;

4 ~~(6)(3)~~ “School” means any technical institute or postsecondary
5 vocational-technical school established pursuant to § 6-51-202 for the
6 vocational training of students; and

7 ~~(7)(4)~~ “Staff members” means both instructors and administrative
8 staff of a technical institute or postsecondary vocational-technical school
9 and the staff of the ~~Department of Workforce Education~~ department who are
10 eligible for membership in the retirement system; ~~and~~

11 ~~(8) “State” means the State of Arkansas.~~

12

13 SECTION 2. Arkansas Code § 24-7-904(a), concerning the establishment
14 and administration of the alternate retirement plan, is amended to read as
15 follows to correct an obsolete reference:

16 (a) ~~The State Board of Workforce Education and Career Opportunities~~
17 Career Education and Workforce Development Board may establish and maintain
18 an alternate retirement plan which shall authorize the purchase of contracts
19 providing retirement and death benefits for staff members.

20

21 SECTION 3. Arkansas Code § 24-7-905(c), concerning the agent for
22 service of process in an action brought on a policy or contract, is amended
23 to read as follows to correct an obsolete reference:

24 (c) In any action brought by a staff member on a policy or contract,
25 any school, school official, or any member of the ~~State Board of Workforce~~
26 Education and Career Opportunities Career Education and Workforce Development
27 Board shall be deemed to be the agent of the nonprofit company or insurance
28 company only for the purpose of service of process on the contract or policy,
29 and for no other purpose.

30

31 SECTION 4. Arkansas Code § 24-7-906(a), concerning the approval of
32 companies and contracts, is amended to read as follows to correct an obsolete
33 reference:

34 (a) ~~The State Board of Workforce Education and Career Opportunities~~
35 Career Education and Workforce Development Board shall approve the companies
36 from which contracts are to be purchased under the alternate retirement plan

1 and shall approve the form and contents of the contracts.

2

3 SECTION 5. Arkansas Code § 24-7-908(a)(1), concerning contributions to
4 retirement plans, is amended to read as follows to correct an obsolete
5 reference:

6 (a)(1) The Department of ~~Workforce~~ Career Education shall contribute
7 to the alternate retirement plan on behalf of each participating staff member
8 an amount equal to the contribution made by the State of Arkansas for persons
9 participating in the retirement system.

10

11 SECTION 6. Arkansas Code § 24-7-909 is amended to read as follows to
12 correct an obsolete reference:

13 24-7-909. Extension of group insurance coverage by dependents of
14 deceased eligible employee.

15 Upon the death of an insured eligible employee of an institution of
16 higher education or of an insured eligible employee who is a member of the
17 alternate retirement plan for employees of the ~~State Board of Workforce~~
18 ~~Education and Career Opportunities~~ Career Education and Workforce Development
19 Board or of a person retired and receiving benefits under the alternate plan,
20 the dependents of the deceased person shall have the same option to extend
21 the group insurance coverage of the dependents under the state group
22 insurance plan as is afforded dependents of other deceased insured employees
23 and retirants.

24

25 SECTION 7. Arkansas Code § 24-8-408(a)(1)(D), is amended to read as
26 follows to repeal a subdivision that was held unconstitutional as special
27 legislation in Bd. of Trustees v. Beard, 273 Ark. 423, 620 S.W.2d 295 (1981).

28 (a)(1) Any clerk of a municipal court to which this subchapter
29 applies, appointed by the judge or judges of the court, shall be eligible to
30 receive retirement benefits provided by this subchapter who:

31 (A) Attains age sixty (60) and has served in office as
32 clerk for at least ten (10) years;

33 (B) Attains age sixty-five (65) and has served in office
34 for at least eight (8) years; or

35 (C) Has served in office for at least twenty (20) years,
36 irrespective of age; ~~or.~~

1 ~~(D) Has served twenty (20) or more consecutive years,~~
2 ~~irrespective of age, as a city employee for the city in which he or she~~
3 ~~elersks, with eight (8) or more of those years served in the office of~~
4 ~~municipal clerk.~~

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6
7 SECTION 8. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

8 It is the intent of the General Assembly that:

9 (1) The enactment and adoption of this act shall not expressly
10 or impliedly repeal an act passed during the regular session of the Ninety-
11 Second General Assembly;

12 (2) To the extent that a conflict exists between an act of the
13 regular session of the Ninety-Second General Assembly and this act:

14 (A) The act of the regular session of the Ninety-Second
15 General Assembly shall be treated as a subsequent act passed by the General
16 Assembly for the purposes of:

17 (i) Giving the act of the regular session of the
18 Ninety-Second General Assembly its full force and effect; and

19 (ii) Amending or repealing the appropriate parts of
20 the Arkansas Code of 1987; and

21 (B) Section 1-2-107 shall not apply; and

22 (3) This act shall make only technical, not substantive, changes
23 to the Arkansas Code of 1987.