

"AN ACT TO AMEND ACT 187 OF 1987 (STATE DIVISION EARLY RETIREMENT INCENTIVE ACT) AND ACT 717 OF 1987 (COUNTY DIVISION EARLY RETIREMENT INCENTIVE ACT) TO PERMIT ELECTED OFFICIALS TO SERVE OUT THEIR ELECTED TERM PRIOR TO RETIREMENT UNDER THE INCENTIVES, AND FOR OTHER PURPOSES."

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

SECTION 1. Section 9 of Act 187 of 1987 is hereby amended to read as follows:

"Section 9. (A) No position being vacated as a result of an employee retiring pursuant to the provisions of this Act shall be filled without the written approval of the Governor or the Chief Fiscal Officer.

(B) For those State Elected Constitutional Officers and Members of the General Assembly who, as a member of the State Division of the Public Employees Retirement System, would qualify by meeting all those requirements set forth above to retire under the early retirement incentives set forth herein by January 1, 1988, the time period in which they may elect to retire hereunder shall be extended to the last day of their current term for which they are serving."

"(C) Nothing herein shall be construed to allow an elected official to continue to accumulate salary earnings in the System upon which his final annuity shall be based. An elected official opting to retire under paragraph (B) above shall have all contributions to the System terminated on December 31, 1987."

"(D) Any member of the Public Employees Retirement System who qualifies by meeting all those requirements set forth above to retire under the early retirement incentives set forth herein by January 1, 1988, and who suffered from a work-related injury for which benefits were paid under compensation laws after July 1, 1986 and before October 1, 1986 and whose final annuity would otherwise be reduced due to the reduced salary and lost credited service, shall be entitled to obtain credited service for the actual time period of reduced salary by paying to the System prior to December 31, 1987, the amount of money both he and his employer would have contributed on his behalf plus interest at the rate of six percent (6%) per annum calculated from the date the contributions would have been made until the date he makes payment to the System."

SECTION 2. Section 4 of Act 717 of 1987 is hereby amended to read as follows:

"Section 4. (A) No position being vacated as a result of a county employee retiring pursuant to the provisions of this Act shall be filled without the approval by resolution of the quorum court.

(B) For those County Elected Constitutional Officers who, as a member of the County Division of the Public Employees Retirement System, would qualify by meeting all those requirements set forth above to retire under the early retirement incentives set forth herein by January 1, 1988, the time period in which they may elect to retire hereunder shall be extended to the last day of their current term for which they are serving.

(C) Nothing herein shall be construed to allow an elected official to continue to accumulate salary earnings in the System upon which his final annuity shall be based. An elected official opting to retire under paragraph (B) above shall have all contributions to the System terminated on December

31, 1987."

SECTION 3. It is the intent of this Act to give fair and equal treatment to all employees and all elected officials under the Early Retirement Incentive Act.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 6-12-87

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