

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Dawson**

A Bill

ACT 1293 OF 1995
HOUSE BILL 1618

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-7-708 TO ELIMINATE THE
9 EARNINGS LIMITATION UNDER THE TEACHER RETIREMENT SYSTEM
10 FOR RETIRANTS WHO RETURN TO WORK IN COVERED POSITIONS IN
11 COLLEGES, UNIVERSITIES, AND VOCATIONAL-TECHNICAL SCHOOLS;
12 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

15 "TO ELIMINATE THE EARNINGS LIMITATION
16 UNDER THE TEACHER RETIREMENT SYSTEM FOR
17 RETIRANTS WHO WORK FOR COLLEGES,
18 UNIVERSITIES, AND VOCATIONAL-TECHNICAL
19 SCHOOLS."

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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 § 24-7-708 is amended to read as follows:

24 "24-7-708. Conditions subjecting annuities to limitations.

25 (a) If a retirant is an employee of a public employer whose employees
26 are covered by the Teacher Retirement System, then, for each twelve-month
27 period ending June 30, the amount of his system annuity shall be subject to
28 the limitations equivalent to twice the limitations imposed by the social
29 security retirement test.

30 (b) For each year ending June 30, the social security retirement test
31 to be considered shall be the test in effect for the calendar year beginning
32 the January 1 immediately preceding June 30. The retirant's earnings shall be
33 his remuneration for such employment for the year ending June 30.

34 (c) The board, by appropriate rules and regulations, shall establish
35 equivalent limitations.

36 (d) Receiving remuneration as an employee from any private employer or

1 as a member of the General Assembly shall not affect payment of an annuity.

2 (e) During any period of employment in a position covered by the
3 system, a retirant shall not accrue additional credited service nor shall he
4 contribute to the system.

5 (f) If a retirant is employed in a covered position by a state college,
6 university, or vocational-technical school, his annuity shall not be subject
7 to the limitations imposed of subsection (a) of this section."

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9 SECTION 2. All provisions of this act of general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 3. If any provisions of this act or the application thereof to
14 any person or circumstance is held invalid, the invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provisions or application, and to this end the provisions of this
17 act are declared to be severable.

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19 SECTION 4. All laws and parts of laws in conflict with this act are
20 hereby repealed.

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22 SECTION 5. Emergency. It is hereby found and determined by the
23 Eightieth General Assembly of the State of Arkansas that the retirement
24 benefits of members of the Teacher Retirement System are subject to an
25 earnings limitation on the amount of earnings a retirant can receive in salary
26 from another public school employer; that the earnings limitation deprives
27 state colleges and universities of a valuable educational resource of
28 experienced instructors; and that the earnings limitation creates an inequity
29 for members of the Teacher Retirement System who wish to teach in higher
30 education. Therefore, in order to correct this inequity and allow for its
31 effective implementation, an emergency is hereby declared to exist, and this
32 act being necessary for the immediate preservation of the public peace,
33 health, and safety, shall be in full force and effect from and after July 1,
34 1995.

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