

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

# A Bill

**ACT 1355 OF 1995**  
**SENATE BILL 102**

## For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR RETIREMENT BENEFITS FOR CIRCUIT  
9 JUDGES WHO HAVE SERVED CONTINUOUSLY FOR AT LEAST SIXTEEN  
10 (16) YEARS AND WHO ARE OVER EIGHTY (80) YEARS OF AGE; TO  
11 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO PROVIDE FOR RETIREMENT BENEFITS FOR  
15 CIRCUIT JUDGES WHO HAVE SERVED FOR  
16 SIXTEEN (16) YEARS AND WHO ARE OVER  
17 EIGHTY (80) YEARS OF AGE."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Notwithstanding Arkansas Code § 24-8-215 regarding the  
22 mandatory retirement under the Judicial Retirement System for any judge or  
23 justice upon reaching seventy (70) years of age or any other law to the  
24 contrary, any judge or justice covered under the Judicial Retirement System  
25 who served continuously for at least sixteen (16) years, who is at least  
26 eighty (80) years of age, who is not serving on the effective date of this  
27 act, and who is ineligible for retirement due to having served beyond the  
28 mandatory retirement age, shall be entitled to receive retirement benefits  
29 under the Judicial Retirement System. Retirements benefits under this act  
30 shall be retroactive to January 1, 1995 or, for judges or justices retiring  
31 after 1995, to January 1st of the year of retirement.

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

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

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8 hereby repealed.

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10 SECTION 5. Emergency. It is hereby found and determined by the  
11 Eightieth General Assembly of the State of Arkansas that the service rendered  
12 by circuit judges to the citizens and the State of Arkansas has not been  
13 adequately rewarded by the compensation provided to them, that certain circuit  
14 judges who chose not to retire at the mandatory retirement age will even be  
15 stripped of their retirement benefits; that this will create an inequity for  
16 all those ineligible judges and justices, and that the effective and efficient  
17 administration of justice for state government demands that this inequity be  
18 corrected immediately. Therefore, in order to correct this inequity, an  
19 emergency is hereby declared to exist, and this act being necessary for the  
20 immediate preservation of the public peace, health, and safety, shall be in  
21 full force and effect from and after its passage and approval.

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23 BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-19-95

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