

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

# **A Bill**

**ACT 846 OF 1995**  
**SENATE BILL 454**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE § 24-4-101 TO PERMIT  
9 ELECTED COUNTY SHERIFFS TO BE MEMBERS OR RETIRANTS OF THE  
10 STATE POLICE RETIREMENT SYSTEM AND TO ACCUMULATE CREDITED  
11 SERVICE IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM; AND FOR  
12 OTHER PURPOSES."

### **Subtitle**

15 "TO PERMIT ELECTED COUNTY SHERIFFS WHO  
16 ARE RETIRANTS IN THE STATE POLICE  
17 RETIREMENT SYSTEM TO ACCUMULATE CREDITED  
18 SERVICE IN THE PUBLIC EMPLOYEES  
19 RETIREMENT SYSTEM."

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

23 SECTION 1. Arkansas Code § 24-4-101(7)(B) is amended to read as follows:

24 "(B) Excepting members of the General Assembly, those persons eligible  
25 for, or receiving benefits from, a local firemen's or policemen's pension  
26 fund, those persons eligible for or participating in a local firemen's pension  
27 fund because of their status as volunteer fire fighters and those persons  
28 eligible for, or receiving benefits from the Arkansas State Police Retirement  
29 System who have been elected to the office of county sheriff, a local  
30 firemen's or policemen's pension fund, the term employees shall not include  
31 persons who are members of, or who are eligible for benefits under or  
32 membership in, any other retirement system, excepting federal Social Security,  
33 which retirement system is supported by state funds or is authorized by the  
34 laws of the state. In addition, the term employees specifically shall not  
35 include the following:

36 (i) Persons in the employ of the Department of Arkansas State

1 Police who are members of, or who are eligible for benefits under or  
2 membership in, the Arkansas State Police Retirement System, except as  
3 otherwise provided by law or those persons elected to the office of county  
4 sheriff;

5 (ii) Persons in the employ of the State Department of Education  
6 or the Arkansas Teacher Retirement System, except as otherwise provided by  
7 law;

8 (iii) Persons in the employ of the University of Arkansas or any  
9 other state-supported institution of higher learning, except as otherwise  
10 provided by law;

11 (iv) Justices of the Supreme Court, judges of circuit courts, or  
12 judges of chancery courts;

13 (v) Persons in the employ of the General Assembly who are  
14 employed on less than a full-time regular annual salary basis, except that any  
15 person who has served or who shall serve during at least six (6) legislative  
16 sessions as Chief Clerk of the House of Representatives, and who has served in  
17 the employ of the General Assembly during at least twelve (12) previous  
18 legislative sessions, shall be eligible to receive credited service in the  
19 Arkansas Public Employees' Retirement System for any period of employment with  
20 the General Assembly since July 1, 1957, but only if the employee is, or was,  
21 an active member of the system with at least ten (10) years of credited  
22 service and only if the employee pays, or causes to be paid, all employee and  
23 employer contributions that would have been paid had he been a member of the  
24 system during those periods of time;

25 (vi) Persons who are in the employ of the Arkansas State Highway  
26 and Transportation Department;

27 (vii) Persons employed with the intent of working fewer than  
28 ninety (90) calendar days;

29 (viii) Persons employed in the state penitentiary, who are  
30 members of, or who are eligible for benefits under, a state retirement system  
31 or plan;

32 (ix) Persons who are first employed or those who are reemployed  
33 as participants on or after July 1, 1979, under the Comprehensive Employment  
34 and Training Act (CETA); however, those persons participating in the program  
35 prior to July 1, 1979, shall continue to be members of the system while

1 employed by a participating public employer."  
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3 SECTION 2. All provisions of this act of general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.  
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7 SECTION 3. If any provisions of this act or the application thereof to  
8 any person or circumstance is held invalid, the invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provisions or application, and to this end the provisions of this  
11 act are declared to be severable.  
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13 SECTION 4. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

15 /s/Todd  
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17 APPROVED: 4-6-95  
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