

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 962 OF 1995**  
**HOUSE BILL 1553**

4 **By: Representatives Horn, Owens, Wallis, Ammons, and Ferguson**

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

8 "AN ACT TO AUTHORIZE MEMBERS OF THE PUBLIC EMPLOYEES\_  
9 RETIREMENT SYSTEM (PERS) TO PURCHASE SERVICE CREDIT FOR  
10 TIME LOST DUE TO WORK-RELATED INJURIES FOR WHICH WORKERS\_  
11 COMPENSATION BENEFITS WERE RECEIVED; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES."

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## **Subtitle**

15 "TO ALLOW PERS MEMBERS TO PURCHASE  
16 SERVICE CREDIT FOR TIME LOST DUE TO  
17 WORKERS' COMPENSATION INJURIES."

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

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21 SECTION 1. Any member of the Public Employees\_ Retirement System who  
22 suffers from or who has suffered in the past from a work-related injury for  
23 which workers\_ compensation benefits were paid under the workers\_ compensation  
24 laws, and whose annuity from the Public Employees\_ Retirement System would  
25 otherwise be reduced due to the reduced salary and lost credited service,  
26 shall be entitled to obtain credited service for the actual time period of  
27 reduced salary and lost service credit by paying to the system the amount of  
28 money both he and the employer would have contributed had his salary not been  
29 reduced, plus interest at the rate of six percent (6%) per annum, compounded,  
30 calculated from the date the contributions would have been made until the  
31 date payment is made to the Public Employees\_ Retirement System. Provided,  
32 however, at the discretion of the employer, any employer under the Public  
33 Employees\_ Retirement System may elect to implement a policy to pay the  
34 employer\_s portion of any contributions that an employee would otherwise be  
35 responsible to pay under this section to receive the service credit.

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2           SECTION 2. Arkansas Code 24-3-201(e) as amended by ACT 628 of 1995 is  
3 amended by inserting an additional paragraph at the end thereof to read as  
4 follows:

5           "(5) If no temporary annuity is payable as provided in this subsection,  
6 or after such temporary annuity has terminated, and if such member has at  
7 retirement any credited service for any period of time prior to July 1, 1991,  
8 then the future payments of such annuity for life shall not be less than they  
9 would have been under the provisions that were in effect on July 1, 1990, for  
10 this subsection, the provisions of §§ 24-3-102(8) and 24-4-101(17)."

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12           SECTION 3. All provisions of this act of general and permanent nature  
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
14 Revision Commission shall incorporate the same in the Code.

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

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22           SECTION 5. All laws and parts of laws in conflict with this act are  
23 hereby repealed.

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25           SECTION 6. Emergency. It is hereby found and determined by the  
26 Eightieth General Assembly of the State of Arkansas that the certain members  
27 of the Public Employees\_ Retirement System are being denied retirement service  
28 credit due to work-related injuries through no fault of their own; that this  
29 restriction is inequitable and should be changed to allow those employees to  
30 recover the service credit for that time; and that this restriction should be  
31 removed as soon as practicable without delay in order to avoid an undue  
32 hardship to retiring public employees. Therefore, in order to reduce the  
33 inequities of the Public Employees\_ Retirement System, an emergency is hereby  
34 declared to exist, and this act being necessary for the immediate preservation  
35 of the public peace, health, and safety, shall be in full force and effect

1 from and after July 1, 1995.

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*/s/Rep. Horn, et al*

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APPROVED: 4-6-95

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***As Engrossed: 3/21/95***

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