

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S2/16/99 S3/11/99 S3/15/99

A Bill

Act 868 of 1999
SENATE BILL 397

5 By: Senator Hopkins
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For An Act To Be Entitled

9 "AN ACT CONCERNING CREDITED SERVICE OF CERTAIN PUBLIC
10 SAFETY MEMBERS; *TO AMEND DISABILITY PROVISIONS OF*
11 *ARKANSAS CODE TITLE 24, CHAPTERS 3 and 4; AND FOR*
12 *OTHER PURPOSES. "*

Subtitle

15 "AN ACT CONCERNING CREDITED SERVICE OF
16 CERTAIN PUBLIC SAFETY MEMBERS; *AND TO*
17 *AMEND DISABILITY PROVISIONS. "*
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. A public safety officer who receives or has received
23 credited service at one and one half (1 ½) times the regular rate for
24 crediting service may change employers and continue to receive credited
25 service at one and one half (1 ½) times the regular rate for crediting
26 service, provided the person is employed as a public safety officer and the
27 employer provides public safety officers credited service at one and one half
28 (1 ½) times the regular rate for crediting service.

30 SECTION 2. *Arkansas Code 24-3-208 (e) is amended to add an additional*
31 *subdivision to read as follows:*

32 "(3) Any former member who is or was approved for disability by
33 the Social Security Administration but whose onset date does not meet the
34 provision of subsection (a) (1) (A) of this section that requires credited
35 service for eighteen (18) of the twenty-four (24) months immediately preceding
36 the disability, may be retired by the Board of Trustees upon written

1 application to the board subject to the following:

2 (A) The onset date determined by the Social Security
3 Administration is within twenty-four (24) months of the date of termination
4 from covered employment;

5 (B) The former member furnishes a written statement to the
6 board from a physician approved by the board that the former member was
7 suffering, at the time of termination, from an illness or injury that
8 subsequently led to the disability determination; and

9 (C) Retirement payments authorized under this act shall be
10 effective on the first day of the next month following approval by the board
11 of the written application and shall not be retroactive.'

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13 SECTION 3. Arkansas Code 24-4-511 (e) is amended to add an additional
14 subdivision to read as follows:

15 "(3) Any former member who is or was approved for disability by
16 the Social Security Administration but whose onset date does not meet the
17 provision of subsection (a) (1) (A) of this section that requires credited
18 service for eighteen (18) of the twenty-four (24) months immediately preceding
19 the disability, may be retired by the Board of Trustees upon written
20 application to the board subject to the following:

21 (A) The onset date determined by the Social Security
22 Administration is within twenty-four (24) months of the date of termination
23 from covered employment;

24 (B) The former member furnishes a written statement to the
25 board from a physician approved by the board that the former member was
26 suffering, at the time of termination, from an illness or injury that
27 subsequently led to the disability determination; and

28 (C) Retirement payments authorized under this act shall be
29 effective on the first day of the next month following approval by the board
30 of the written application and shall not be retroactive."

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32 SECTION 4. No benefit enhancement provided for by this act shall be
33 implemented if it would cause the publicly supported retirement system's
34 unfunded actuarial accrued liabilities to exceed a thirty (30) year
35 amortization. No benefit enhancement provided for by this act shall be
36 implemented by any publicly supported system which has unfunded actuarial

1 accrued liabilities being amortized over a period exceeding thirty (30) years
2 until the unfunded actuarial accrued liability is reduced to a level less than
3 the standards prescribed by Arkansas Code, Title 24.

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5 SECTION 5. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 6. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

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

17 /s/ Hopkins

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20 APPROVED: 3/25/1999
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