

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 154 of 2001
SENATE BILL 206

5 By: Senator Faris
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 24-4-520 TO REVISE THE
10 REQUIREMENTS FOR TERMINATION OF EMPLOYMENT UNDER THE
11 ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO REVISE THE REQUIREMENTS FOR
15 TERMINATION OF EMPLOYMENT UNDER THE
16 PUBLIC EMPLOYEES' RETIREMENT SYSTEM.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 24-4-520 is amended to read as follows:

23 24-4-520. Termination required for retirement.

24 (a) A member of the Arkansas Public Employees' Retirement System must
25 terminate covered employment to be eligible for retirement.

26 (b) A member shall not be terminated from employment for retirement
27 purposes if the person ~~returns to a position that would otherwise be covered~~
28 ~~within thirty (30) days of the person's effective date of retirement;~~

29 (1) Returns to employment in a position covered under the system
30 within thirty (30) days of the person's effective date of retirement; or

31 (2) Is a member with service credit under § 24-3-301 at a rate of
32 two (2) or more years of credited service for each year of actual service and
33 the person returns to employment in a position covered under the system within
34 ninety (90) days of the person's effective date of retirement.

35 (c) Persons failing to meet termination requirements shall forfeit
36 their benefits until requirements are met.

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SECTION 2. [THE ARKANSAS CODE REVISION COMMISSION IS NOT REQUIRED TO CODIFY THIS SECTION.] No benefit enhancement provided for by this act shall be implemented if it would cause the publicly supported retirement system's unfunded actuarial accrued liabilities to exceed a thirty (30) year amortization. No benefit enhancement provided for by this act shall be implemented by any publicly supported system which has unfunded actuarial accrued liabilities being amortized over a period exceeding thirty (30) years until the unfunded actuarial accrued liability is reduced to a level less than the standards prescribed by Arkansas Code, Title 24.

SECTION 3. Emergency Clause. It is found and determined by the General Assembly of the State of Arkansas that the thirty-day requirement for termination of employment applies to all members of the Public Employees' Retirement System; that members of the retirement system earn service credit at different rates; that the same requirement for termination of employment is inequitable and this change must be implemented to correct that inequity; and this act should therefore have immediate effect. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

APPROVED: 2/8/2001