

**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.  
Act 1188 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1686

5 By: Representative Mack  
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## For An Act To Be Entitled

9 AN ACT TO AMEND THE GENERAL ACCOUNTING AND  
10 BUDGETARY PROCEDURES LAW TO ALLOW RETENTION OF  
11 PAYMENT MADE PURSUANT TO ARKANSAS CODE § 21-4-  
12 501; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO AMEND THE GENERAL ACCOUNTING  
15 AND BUDGETARY PROCEDURES LAW TO ALLOW  
16 RETENTION OF PAYMENT MADE PURSUANT TO  
17 ARKANSAS CODE § 21-4-501.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Annotated § 19-4-1613 is amended to read as  
24 follows:

25 19-4-1613. Lump-sum terminal pay

26 (a) Upon termination, resignation, retirement, death, or other action  
27 by which a person ceases to be an active employee of a state agency, the  
28 amount due the employee, or his or her estate, including any accrued unpaid  
29 annual or holiday leave which is due in accordance with the policies of the  
30 agency and lump-sum payments of sick leave balances upon retirement as  
31 provided by law, may, and should, be included in the final pay to the  
32 employee or his or her estate for the employee's active work, even though the  
33 final payment of salary or wages may exceed one twenty-sixth (1/26) or other  
34 fractional amount based upon days, weeks, or months of the employee's annual  
35 authorized compensation at the date active employment ceases.



1 (b) No employee receiving such additional compensation shall return to  
2 state employment until the number of days for which he or she received  
3 additional compensation has expired.

4 (c) Payment of the additional compensation shall not be considered as  
5 exceeding the maximum for a position so authorized.

6 (d) If an employee receives compensation for unused sick leave at  
7 retirement pursuant to § 21-4-501 and returns to state employment, the  
8 employee shall not be required to wait until the expiration of the number of  
9 days for which he or she received additional compensation before returning to  
10 state employment or to repay the amount of the compensation.

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13 APPROVED: 3/24/2005  
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