

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 354

5 By: Senator R. Thompson
6

For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT DISCRETION IS GRANTED TO
9 STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION ON
10 WHETHER OR NOT TO COMPENSATE ALL EMPLOYEES FOR UNPAID
11 SICK LEAVE ON RETIREMENT OR DEATH; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO CLARIFY THAT DISCRETION IS GRANTED TO
16 STATE-SUPPORTED INSTITUTIONS OF HIGHER
17 EDUCATION WHETHER OR NOT TO COMPENSATE
18 ALL EMPLOYEES FOR UNPAID SICK LEAVE ON
19 RETIREMENT OR DEATH; TO DECLARE AN
20 EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 21-4-505 is amended to read as follows:

27 21-4-505. Compensation for unused sick leave of nonclassified
28 employees of ~~two-year colleges~~ state-supported institutions of higher
29 education -- Calculation for unused sick leave.

30 (a) At its discretion, ~~A two-year~~ a state-supported institution of
31 higher education may, ~~in its discretion,~~ compensate a nonclassified employee
32 of the ~~institution~~ state-supported institution of higher education for
33 accumulated unused sick leave by providing to the nonclassified employee the
34 same compensation for accumulated unused sick leave provided to a classified
35 employee of the ~~institution~~ state-supported institution of higher education
36 under § 21-4-501.



1 (b) Compensation for accumulated unused sick leave under this section
2 shall not be used by the:

3 (1) Arkansas Teacher Retirement System in the calculation of
4 final average salary under § 24-7-202; or

5 (2) Arkansas Public Employees' Retirement System in the
6 calculation of final average compensation under § 24-4-101.

7 (c) Unused sick leave for nonclassified employees of state-supported
8 institutions of higher education shall accrue at the same rate as unused sick
9 leave accrues for classified employees for calculations made under this
10 section.

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12 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
13 General Assembly of the State of Arkansas that some nonclassified employees
14 who have retired from state-supported institutions of higher education have
15 not received the benefits intended under current law due to unclear language;
16 that clarification of the eligibility of nonclassified employees to receive
17 unused sick leave benefits is needed; and that this act is immediately
18 necessary for nonclassified employees of state-supported institutions of
19 higher education to make retirement decisions for the end of the current
20 academic semester. Therefore, an emergency is declared to exist and this act
21 being immediately necessary for the preservation of the public peace, health,
22 and safety shall become effective on:

23 (1) The date of its approval by the Governor;

24 (2) If the bill is neither approved nor vetoed by the Governor,
25 the expiration of the period of time during which the Governor may veto the
26 bill; or

27 (3) If the bill is vetoed by the Governor and the veto is
28 overridden, the date the last house overrides the veto.

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31 **APPROVED: 03/18/2011**