

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1200

5 By: Representative Perry  
6 By: Senator K. Hammer  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING AN INACTIVE MEMBER'S ELIGIBILITY  
10 FOR FREE MILITARY SERVICE CREDIT AND ABILITY TO  
11 PURCHASE MILITARY, CONTRIBUTORY, AND FEDERAL SERVICE  
12 CREDIT IN THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO  
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 CONCERNING AN INACTIVE MEMBER'S  
17 ELIGIBILITY FOR FREE MILITARY SERVICE  
18 CREDIT AND ABILITY TO PURCHASE MILITARY,  
19 CONTRIBUTORY, AND FEDERAL SERVICE CREDIT  
20 IN THE ARKANSAS TEACHER RETIREMENT  
21 SYSTEM; AND TO DECLARE AN EMERGENCY.  
22  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code § 24-1-107(b)(1)(B), concerning recognition  
28 of federal retirement programs, is amended to read as follows:

29 (B) ~~An active~~ A member of the Arkansas Teacher Retirement  
30 System shall receive credit for the member's federal service upon the payment  
31 of the cost of service under § 24-7-502(b) and as prescribed by the Board of  
32 Trustees of the Arkansas Teacher Retirement System.  
33

34 SECTION 2. Arkansas Code § 24-7-406(e)(1)(B)(iv), concerning  
35 retirement fund assets, accounts, members' deposit accounts, and  
36 contributions under the Arkansas Teacher Retirement System, is amended to



1 read as follows:

2 (iv) ~~An active~~ A member who has previous  
 3 noncontributory credited service may change credited service on which a  
 4 member contribution has not been paid to contributory credited service by  
 5 paying the system the actuarial equivalent of the member benefits.

6  
 7 SECTION 3. Arkansas Code § 24-7-602(a)(1) and (2), concerning military  
 8 service credit under the Arkansas Teacher Retirement System, are amended to  
 9 read as follows:

10 (a)(1) If ~~an active~~ a member of the Arkansas Teacher Retirement System  
 11 enters the United States Armed Forces during a period that a federal military  
 12 draft was in effect and obtains a refund of member contributions from the  
 13 system, the compulsory military service required of the member may be  
 14 established as free credited service under this subchapter, if after an  
 15 honorable discharge from the United States Armed Forces and before retirement  
 16 the member repays to the system the actuarial equivalent of the member's  
 17 refunded service.

18 (2)(A) ~~In addition, an active member who entered the United~~  
 19 ~~States Armed Forces during any period that a federal military draft was in~~  
 20 ~~effect and who becomes an active member after an honorable discharge from the~~  
 21 ~~United States Armed Forces is eligible to receive free military service~~  
 22 ~~credit under this section, whether or not the member has five (5) or more~~  
 23 ~~years of credited service at the time of the reemployment.~~ In addition, a  
 24 member is eligible to receive free military service credit under this section  
 25 if the member:

26 (i) Entered the United States Armed Forces during  
 27 any period that a federal military draft was in effect; and

28 (ii) Becomes an active member after an honorable  
 29 discharge from the United States Armed Forces.

30 (B) Subdivision (a)(2)(A) of this section applies to a  
 31 member whether or not the member has five (5) or more years of credited  
 32 service at the time of the member's reemployment.

33  
 34 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 35 General Assembly of the State of Arkansas that the operations of a state  
 36 public retirement system are complex; that the Arkansas Teacher Retirement

1 System must be able to meet the needs of its members as anticipated by the  
2 General Assembly; that certain provisions of the Arkansas Teacher Retirement  
3 System Act need revision and updating to bring these provisions into  
4 conformance with sound public pension policy and actuarial requirements; that  
5 under the current provisions of the Arkansas Teacher Retirement System Act,  
6 inactive members are ineligible for free military service credit and cannot  
7 purchase military, contributory, and federal service credit; that the  
8 revisions and updates are of great importance to members of the Arkansas  
9 Teacher Retirement System and to other citizens of the State of Arkansas;  
10 that the Arkansas Teacher Retirement System operates on a fiscal year of July  
11 1 to June 30; that as the Arkansas Teacher Retirement System operates on a  
12 fiscal year of July 1 to June 30, a July 1, 2023, effective date is necessary  
13 in order to allow the provisions within this act to begin on the first day of  
14 the fiscal year and to allow for a structured and proper administration of  
15 the procedures referenced in this act; that the updates and revisions to the  
16 Arkansas Teacher Retirement System Act are of great importance and necessary  
17 for improving and protecting member benefits; and that this act is necessary  
18 in order to maintain an orderly system of benefits for the members of the  
19 Arkansas Teacher Retirement System. Therefore, an emergency is declared to  
20 exist, and this act being necessary for the preservation of the public peace,  
21 health, and safety shall become effective on July 1, 2023.

22  
23  
24 **APPROVED: 2/13/23**  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36