

"AN ACT TO AMEND SECTION 1 OF ACT 119 OF 1961 [ARK. STAT. 12-2522] TO PROVIDE FREE SERVICE CREDIT IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEMS FOR THOSE PERSONS WHO WOULD HAVE OTHERWISE BEEN ELIGIBLE HAD THEY NOT BEEN SERVING IN THE MILITARY ON ACTIVE DUTY ON THE PRIOR SERVICE CREDIT ELIGIBILITY DATE; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 119 of 1961, the same being Arkansas Statute 12-2522, is hereby amended to read as follows:

"Section 1. (A) Any member of the Arkansas Public Employees Retirement System who became a member of the System on July 1, 1957 in the case of a state employee, or who became a member of the System on July 1, 1959 in the case of a county employee and who has been continuously employed by a public employer to the effective date of this Act may, upon application and submission of proper proof to the Board of Trustees of the Arkansas Public Employees Retirement System, as authorized by Act No. 177 of 1957 as amended, receive prior service credit for any service rendered a public employer, as such term is defined in Act 177 of 1957, as amended by Act 42 of 1959, in the State of Arkansas, in a position covered by some other existing Retirement System of this State authorized by law other than Social Security, provided, such member does not have standing to his credit in such other retirement system the same period of time and that such member is no longer a member of or eligible for membership in, or receiving benefits from such other retirement system or systems.

(B) (1) Any active member of the Arkansas Public Employees Retirement System who would otherwise be eligible for free prior service credit under the provisions of Act 177 of 1957, as amended, because of employment with a public employer or with the public schools but who was drafted and was serving in the military on active duty on a date which would have made such member eligible for the free prior service had he been an employee on that date, shall, upon application and submission of proper proof to the Board of Trustees, receive free prior service credit for employment prior to July 1, 1957 in the case of a state, municipal, or school employee, or prior to July 1, 1959 in the case of a county employee, if the following conditions are met:

(a) such member was an employee of a public employer immediately preceding his involuntary service in the armed forces; and  
(b) he was reemployed as an employee within six (6) months of his discharge from the Armed Forces of the United States.

(2) For purposes of this subsection, prior service credit eligibility dates are:

(a) July 1, 1957 for State employees;  
(b) July 1, 1959 for County employees;  
(c) October 1, 1957 and October 1, 1965 for school employees;  
(d) July 1, 1957 and January 1, 1963 for Colleges and Universities; or  
(e) the date the employer begins participation in the system for municipalities."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: February 13, 1987

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