

Act 723 of the 1989 Regular Session.

Act 723

HB1161

By: Representatives Wilkins, Hankins, and S. Miller

"AN ACT TO PROVIDE THAT MUNICIPAL EMPLOYEES AND ELECTED MUNICIPAL OFFICIALS WHO ARE PROVIDED RETIREMENT BENEFITS BY AN ACT OF THE GENERAL ASSEMBLY, AND WHO ALSO PARTICIPATE IN A RETIREMENT PLAN ESTABLISHED BY THE MUNICIPALITY, SHALL BE ENTITLED TO ONLY ONE RETIREMENT BENEFIT FOR THE SAME PERIOD OF SERVICE AND SHALL CHOOSE WHICH RETIREMENT PLAN TO RECIEVE THE BENEFIT FROM; AND FOR OTHER PURPOSES."

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

SECTION 1. Notwithstanding any other law to the contrary, any employee of a first class city, second class city or incorporated town, and any elected official of a first class city, second class city or incorporated town who is entitled by an Act of the General Assembly to retirement benefits for service as such employee or elected official and who also participates in another retirement plan established by the city for the same period of service, shall be entitled to only one retirement benefit for the same period of service to the municipality, and the employee or elected official may choose whether to receive the retirement benefit provided by law or provided by the plan offered by the municipality.

SECTION 2. Title 24, Chapter 4, Subchapter 7 of the Arkansas Code of 1987 is hereby amended by adding a new section to read as follows:

"24-4-738. (a) In the event a member of the Municipal Division of the Arkansas Public Employees' Retirement System has attained age sixty (60) years, has standing to his credit at least thirty (30) years of credited service in the system and is a mayor at the time of his attainment of age sixty (60), he shall be entitled to an annuity provided for in 24-4-601.

(b) His annuity shall begin the first day of the calendar month next following the month in which his application for the annuity is filed with the board on or after his attainment of age sixty (60) years."

SECTION 3. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: March 21, 1989

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