

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill ACT 371 OF 1991

HOUSE BILL 1328

4 **By: Reps. Hutchinson, M. Wilson, Givens and Watts**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §24-11-418 TO
9 ALLOW MEMBERS OF THE POLICEMEN'S PENSION AND RELIEF FUND
10 TO PURCHASE CREDITED SERVICE IN THE SYSTEM FOR SERVICE
11 RENDERED IN THE ARMED FORCES OF THE UNITED STATES; AND FOR
12 OTHER PURPOSES. "

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

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16 SECTION 1. Arkansas Code Annotated §24-11-418 is amended to read as
17 follows:

18 "24-11-418. Credited service - Purchase for military service by past or
19 present members generally.

20 (a) Any person who is or was a member of the policemen's pension and
21 relief fund, as established by this subchapter, and who was not receiving
22 benefits under the system on June 17, 1981, shall be entitled to purchase
23 credited service in the system for a period not to exceed two (2) years for
24 service rendered by the member while on active duty in the armed forces of the
25 United States prior to the member's employment covered by the policemen's
26 pension and relief fund, as established by this subchapter, but only if:

27 (1) The person received an honorable discharge from the armed
28 forces;

29 (2) He is not receiving federal military service retirement pay
30 based upon nineteen (19) or more years of active duty; however, disability
31 federal retirement pay shall not disqualify a member from purchasing credit;
32 and he does one of the following;

33 (A) If he has participated in the policemen's pension and
34 relief fund for at least eighteen (18) years, he contributes to the member's
35 deposit account a sum of money equal to the amount of the combined employee
36 and employer contribution made by or on behalf of the member to the system

1 based upon the contributions for the last month of the employee's eighteenth
2 year of service, multiplied by the number of months of military service the
3 member is eligible for and desires to purchase under this section with
4 interest thereon at the rate of six percent (6%) per annum from the date of
5 eligibility to purchase the service to the date of purchase, or;

6 (B) If he has participated in the policemen's pension and
7 relief fund for at least twenty (20) years, he contributes to the member's
8 deposit account a sum of money equal to the amount of the combined employee
9 and employer contribution made by or on behalf of the member to the system
10 based upon contributions at the time he first became a member of the
11 retirement system, multiplied by the number of months of military service the
12 member is eligible for and desires to purchase under this section with
13 interest thereon at the rate of six percent (6%) per annum from the date of
14 eligibility to purchase the service to the date of purchase.

15 (b) A member who purchases credited service in the system as authorized
16 in this section shall not be entitled to receive retirement benefits under the
17 system until the date on which he or she has twenty (20) years of actual
18 service under the system or would have had twenty (20) years of actual service
19 under the system if the member had continued his or her employment.

20 (c) When a member purchases credited service as authorized in this
21 section and terminates employment before his or her twentieth anniversary as a
22 member of the system, that portion of the insurance premium tax returned to
23 the employing city for credit to policeman pension funds which was previously
24 credited to the policemen's pension and relief fund for the position held by
25 the member shall continue to be credited to that fund until the date on which
26 the member would have been a member of the system for twenty (20) years had he
27 or she continued employment."

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29 SECTION 2. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 3. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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

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7 APPROVED: 3-6-91]

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