

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1315 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: S2/18/09 S4/1/09

A Bill

SENATE BILL 129

5 By: Senator Faris  
6  
7

8 **For An Act To Be Entitled**

9 *AN ACT TO AUTHORIZE A ONE-TIME AD HOC BENEFIT*  
10 *INCREASE FOR RETIRANTS, SURVIVORS, AND*  
11 *BENEFICIARIES OF RETIRANTS IN THE ARKANSAS*  
12 *TEACHER RETIREMENT SYTEM; AND FOR OTHER PURPOSES.*

13 **Subtitle**

14 *TO AUTHORIZE A ONE-TIME AD HOC BENEFIT*  
15 *INCREASE FOR RETIRANTS, SURVIVORS, AND*  
16 *BENEFICIARIES OF RETIRANTS IN THE*  
17 *ARKANSAS TEACHER RETIREMENT SYTEM.*

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 *SECTION 1. Arkansas Code Title 24, Chapter 7, is amended to add an*  
23 *additional subchapter to read as follows:*

24 *24-7-1501. Title.*

25 *This act shall be known and may be cited as the "Retirants' Ad hoc*  
26 *Increase Act".*

27  
28 *24-7-1502. Benefit generally.*

29 *(a) The annual benefit payable to eligible retirees, survivors, and*  
30 *beneficiaries of retirants of the Arkansas Teacher Retirement System shall be*  
31 *subject to a one-time ad hoc increase based on the retirant's years of*  
32 *credited service which is grouped within descending decades as calculated by*  
33 *subtracting the total years of credited service from the date of retirement.*

34 *(1) A break in credited service is not considered under this*  
35 *subchapter.*



1 (2) Teacher Deferred Retirement Option Plan (T-DROP)  
2 participants shall have the total years of credited service subtracted from  
3 the date of entry into T-DROP.

4 (b)(1) One half (1/2) of the annual dollar increase per year of  
5 credited service shall be calculated and provided to all retirees, survivors,  
6 and beneficiaries of retirants that are eligible to receive this increase;  
7 and

8 (2) One half (1/2) of the annual dollar increase per year of  
9 credited service shall be calculated then prorated based on the amount of  
10 contributory service credit to total service on the retirant's:

11 (A) Retirement date; or

12 (B) T-DROP entry date.

13 (3) The amounts under subsection (b) of this section shall be  
14 calculated and provided to all retirees, survivors, and beneficiaries of  
15 retirants.

16 (c)(1) The ad hoc benefit is payable to the retirees, survivors, and  
17 beneficiaries of retirants of the system beginning on a July 1 that is at  
18 least twelve (12) full months after the effective date of a monthly benefit.

19 (d) The ad hoc benefit for a retirant, survivor, and beneficiary of a  
20 retirant shall not increase the retirant's current benefit by more than  
21 twenty-five percent (25%) of the annuity benefit payable as of the prior June  
22 30.

23  
24 24-7-1503. Ad hoc benefit formula.

25 The schedule of decade dollar amounts per year of credited service is:

26 Formula

27 Decades in

Annual \$

28 Which

Increase Per

29 Credited

Year of

30 Service

Credited

31 Was Accrued

Service

32 2000 - and

33 later

\$5

34 1990-1999

\$10

35 1980-1989

\$20

36 1970-1979

\$30

1	<u>1960-1969</u>	<u>\$40</u>
2	<u>1950-1959</u>	<u>\$50</u>
3	<u>1940-1949</u>	<u>\$60</u>
4	<u>1930-1939</u>	<u>\$70</u>
5	<u>1920-1929</u>	<u>\$80</u>
6	<u>1910-1919</u>	<u>\$90</u>

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

24-7-1504. Promulgation of Rules - Duty of board..

(a) The Board of Trustees of the Arkansas Teacher Retirement System shall promulgate rules for the ad hoc benefit under this subchapter.

(b) An ad hoc benefit under this subchapter shall not be implemented if the ad hoc benefit would cause the system's unfunded actuarial accrued liabilities to exceed a thirty-year amortization.

(c) The board shall only authorize an ad hoc benefit that is actuarially appropriate for the system.

(d) Before an increase of retirement benefit through an ad hoc benefit is authorized, the board shall file relevant information with the Joint Interim Committee on Public Retirement and Social Security Programs regarding the actuarial appropriateness of the increase.

(e) The board may reduce the decade increase formula under § 24-15-103 proportionately on a one-to-one formula basis for each decade when the reduction is actuarially feasible to implement.

(f) The ad hoc benefit increase is a one-time adjustment and shall also be used to increase the base amount of a retirant's benefits when calculating any future additional benefit increases.

/s/ Faris

**APPROVED: 4/9/2009**