

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of Senate Bill No. 138**

"TO COMBINE THE STATE POLICE RETIREMENT SYSTEM WITH THE ARKANSAS  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

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**Amendment No. 1 to Senate Bill No. 138.**

Amend Senate Bill No. 138 as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code § 24-4-104(b), concerning the Arkansas Public Employees' Retirement System Board of Trustees, is amended to read as follows:

(b) The board shall consist of ~~nine (9)~~ the following trustees, ~~as follows:~~

(1) The Auditor of State, the Treasurer of State, the Director of the Department of Arkansas State Police or his or her designee, and the Director of the Department of Finance and Administration shall be ex officio members; and

(2) Three (3) members who are state employees and three (3) members who are nonstate employees to be appointed by the Governor; each nonstate employee trustee and each state employee trustee shall have at least ten (10) continuous years of service with a public employer or employers, and shall be a member or retired member of the system.

SECTION 2. Arkansas Code Title 24, Chapter 4, Subchapter 7 is amended to add an additional section to read as follows:

24-4-752. State Police Retirement System abolished -- Powers, duties, and plan liabilities transferred to Arkansas Public Employees' Retirement System -- State Police Division.

(a)(1) There is created under the Arkansas Public Employees' Retirement System, a division that will be known as the State Police Division.

(2) The authority for the Arkansas Public Employees' Retirement System -- State Police Division is with the Arkansas Public Employees' Retirement System Board of Trustees.

(b) The State Police Retirement System, established by § 24-6-201 et seq., is abolished and its powers, duties, and plan liabilities are transferred to the Arkansas Public Employees' Retirement System -- State Police Division by a type 3 transfer under § 25-2-106.

(c) For purposes of this section, the Arkansas Public Employees'



Retirement System shall be considered a principal department established by Acts 1971, No. 38.

(d)(1) As employer, the Department of Arkansas State Police shall make contributions to the Arkansas Public Employees' Retirement System -- State Police Division, based on a percentage of each active state police officer's salary at the rate established to fund the State Police Retirement System's benefit program before the effective date of this act unless the Arkansas Public Employees' Retirement System's actuary determines that a different required contribution rate should be applied.

(2) All other sources of revenue regularly accruing to the State Police Retirement System shall be payable to the Arkansas Public Employees' Retirement System -- State Police Division.

(e)(1) A member of the State Police Retirement System on the date of the transfer of the State Police Retirement System to the Arkansas Public Employees' Retirement System -- State Police Division shall continue to accrue the same program of benefits received before the transfer.

(2) A state police officer joining the Arkansas Public Employees' Retirement System -- State Police Division after the date of transfer to the Arkansas Public Employees' Retirement System shall be provided with the same benefits currently available under § 24-6-401 et seq.

(3) A state police officer covered under the Arkansas Public Employees' Retirement System -- State Police Division that is otherwise covered by § 24-6-401 shall have access to the Deferred Retirement Option Plan provisions of § 24-4-801 et seq.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that due to the economic condition of the financial market, every opportunity to contain costs must be pursued, that combining the State Police Retirement System with the Arkansas Public Employees' Retirement System would save administrative costs, and that the Arkansas Public Employees' Retirement System's fiscal year begins on July 1, 2009. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Faris

MMC/MAJ - 02-27-2009 16:27

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Secretary