

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Representative Kerr

A Bill

HOUSE BILL 1216

For An Act To Be Entitled

8 AN ACT TO DEFINE "TERMINATE" AS THAT TERM APPLIES TO
9 ELIGIBILITY FOR RETIREMENT UNDER THE ARKANSAS TEACHER
10 RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR
11 OTHER PURPOSES.

Subtitle

15 TO DEFINE "TERMINATE" AS THAT TERM
16 APPLIES TO ELIGIBILITY FOR RETIREMENT
17 UNDER THE ARKANSAS TEACHER RETIREMENT
18 SYSTEM AND TO DECLARE AN EMERGENCY.

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

23 SECTION 1. Arkansas Code § 24-7-502, concerning termination
24 requirements for retirement, is amended to add a new subsection to read as
25 follows:

26 (d)(1) As used in this section, "terminate" means:

27 (A) The member's employment has ended;

28 (B) A complete severance of the employer-employee
29 relationship has occurred;

30 (C) The member has ceased performing any services for the
31 employer, except for functions related to the transfer of the duties or the
32 transfer of the position itself; and

33 (D) The member has not obtained a position with another
34 employer as defined under § 24-7-202(13).

35 (2) As used in this section, "terminate" does not mean:

36 (A) Taking a leave of absence; or



1 (B) Performing any job duties or services without
2 remuneration, except for the functions related to the transfer of duties or
3 the transfer of the position itself.
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5 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly of the State of Arkansas that recent reports indicate that
7 some members of the Arkansas public retirement systems were merely taking
8 themselves off of the payroll for the specified period of time while
9 continuing to perform their duties so that they could draw retirement in
10 addition to their wages; that clarification is needed to prevent this from
11 happening; and that this clarification is needed immediately. Therefore, an
12 emergency is declared to exist and this act being immediately necessary for
13 the preservation of the public peace, health, and safety shall become
14 effective on:

15 (1) The date of its approval by the Governor;

16 (2) If the bill is neither approved nor vetoed by the Governor,
17 the expiration of the period of time during which the Governor may veto the
18 bill; or

19 (3) If the bill is vetoed by the Governor and the veto is
20 overridden, the date the last house overrides the veto.
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