

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1177

5 By: Representatives Carnine, Dale
6 By: Senators B. Sample, Elliott
7

For An Act To Be Entitled

9 AN ACT TO ALLOW CERTAIN MEMBERS OF THE GENERAL
10 ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE ARKANSAS
11 PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO ALLOW CERTAIN MEMBERS OF THE GENERAL
16 ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE
17 ARKANSAS PUBLIC EMPLOYEES' RETIREMENT
18 SYSTEM AND TO DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 24-4-301(a)(2), concerning membership in
25 the Arkansas Public Employees' Retirement System as a condition of
26 employment, is amended to add an additional subdivision to read as follows:

27 (C) Beginning July 1, 2013, a person may opt out of
28 membership in the system if the person is:

29 (i) A member of the General Assembly;

30 (ii) At least sixty-five (65) years of age;

31 (iii) Receiving social security benefits; and

32 (iv) Retired from a reciprocal system as defined in

33 § 24-2-401.
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35 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
36 General Assembly of the State of Arkansas that members of the General



1 Assembly are required to become members of the Arkansas Public Employees'
2 Retirement System; that members of the General Assembly are required to have
3 ten (10) or more years of actual service to be eligible for benefits under
4 the system; that some members of the General Assembly are retired from other
5 reciprocal systems in the state and may not serve as public employees under
6 the system for ten (10) or more years; that the state is making contributions
7 on behalf of these members of the General Assembly; that it is in the best
8 interests of the state to allow certain members of the General Assembly to
9 opt out of membership in the system; and that this act is necessary because
10 the ideal time to make revisions to the system is at the beginning of the
11 fiscal year, which starts on July 1 of each year. Therefore, an emergency is
12 declared to exist, and this act being necessary for the preservation of the
13 public peace, health, and safety shall become effective on July 1, 2013.

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