

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

As Engrossed: S3/4/13

# A Bill

SENATE BILL 146

5 By: Senator J. Key  
6 By: Representative Gossage  
7

## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE PARTICIPATION OF SCHOOL  
10 RESOURCE OFFICERS INDIRECTLY PAID BY A SYSTEM  
11 EMPLOYER IN THE ARKANSAS TEACHER RETIREMENT SYSTEM;  
12 AND FOR OTHER PURPOSES. RETIREMENT SYSTEM ACT; AND  
13 FOR OTHER PURPOSES.  
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## Subtitle

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17 CONCERNING THE PARTICIPATION OF SCHOOL  
18 RESOURCE OFFICERS INDIRECTLY PAID BY A  
19 SYSTEM EMPLOYER IN THE ARKANSAS TEACHER  
20 RETIREMENT SYSTEM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 24-7-501(a), concerning membership in the  
26 Arkansas Teacher Retirement System,, is amended to add an additional  
27 subdivision to read as follows:

28 "(3)(A) School resource officers who are qualified under this  
29 subdivision and elect to participate in the system on or after July 1, 2013.

30 (B) To participate in the system, a school resource  
31 officer shall be:

32 (i) An Arkansas certified law enforcement officer;

33 and

34 (ii) Employed primarily to provide services at a

35 system employer.

36 (C) A school resource officer shall not receive retirement



1 credit for the same service or salary in another public retirement system in  
2 Arkansas.

3 (D)(i) A system employer may authorize a school resource  
4 officer who is indirectly paid by the system employer to participate as a  
5 member of the system by adopting a resolution.

6 (ii) A resolution adopted by the system employer  
7 shall:

8 (a) Authorize a school resource officer  
9 employed by the system employer to participate as a member of the system; and

10 (b) State the employer's agreement to act as  
11 the system employer for the purpose of reporting service, paying  
12 contributions to the system on behalf of a school resource officer, and  
13 performing all member services as if the school resource officer were  
14 directly employed by the system employer.

15 (iii) A school resource officer paid indirectly by a  
16 system employer is not eligible to participate as a system member unless the  
17 system employer explicitly authorizes such participation by resolution.

18 (E)(i) The salary and service used to determine  
19 contributions and benefits in the system shall be based on the salary paid to  
20 the school resource officer for performing the services of a school resource  
21 officer for the system employer.

22 (ii) If an employer reimburses another public entity  
23 for the payment of the school resource officer's salary and salary related  
24 costs, the employer receiving the employment services of the school resource  
25 officer shall be the system employer for the purpose of system participation  
26 and not the direct public employer.

27 (iii) If a system employer pays all or part of a  
28 school resource officer's salary indirectly by reimbursing a law enforcement  
29 agency in Arkansas, the system shall treat all salary indirectly paid by the  
30 system employer to the school resource officer as if it had been paid by the  
31 system employer directly.

32 (F) If a school resource officer becomes a member of the  
33 system and his or her salary is paid indirectly by a system employer, then  
34 the only contribution due on the salary shall be the employer contribution  
35 payable to the system.

36 (G) Service as a school resource officer rendered before

1 July 1, 2013, shall not be purchased.

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/s/J. Key

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