

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H1/31/19 H3/18/19

# A Bill

HOUSE BILL 1256

5 By: Representative House  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE  
9 REDETERMINATION OF BENEFITS UNDER THE ARKANSAS PUBLIC  
10 EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN  
11 EMERGENCY; AND FOR OTHER PURPOSES.  
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### Subtitle

14 TO AMEND THE LAW CONCERNING THE  
15 REDETERMINATION OF BENEFITS UNDER THE  
16 ARKANSAS PUBLIC EMPLOYEES' RETIREMENT  
17 SYSTEM; AND TO DECLARE AN EMERGENCY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 24-4-607 is amended to read as follows:  
24 24-4-607. Redetermination of benefits.

25 (a)(1) Each July 1 the Arkansas Public Employees' Retirement System  
26 ~~shall~~ may redetermine the amount of each monthly benefit which has been  
27 payable by the system for at least twelve (12) full calendar months.

28 (2) The redetermined amount shall be payable for the following  
29 twelve (12) calendar months.

30 (b)(1) The redetermined amount shall be the amount of the benefit  
31 payable as of the immediately preceding July 1 increased by a simple cost-of-  
32 living adjustment that is no more than three percent (3%).

33 (2)(A) The redetermined amount shall not be less than the base  
34 amount.

35 (B) As used in subdivision (b)(2)(A) of this  
36 section, "base amount" means the amount of the benefit payable to a member



1 who retires on and after July 1, 2019, plus any one-time increases granted by  
2 legislation that is enacted after the effective date on which a member begins  
3 receiving retirement benefits, excluding the simple cost-of-living adjustment  
4 under this section.

5 (C) The redetermined amount under this section is  
6 not a benefit enhancement.

7 (c) The Board of Trustees of the Arkansas Public Employees' Retirement  
8 System may grant a cost-of-living adjustment in accordance with subsection  
9 (b) of this section to one (1) or more of the following individuals:

10 (1) An individual who is employed and becomes a member of the  
11 system after the effective date of this act;

12 (2) A nonvested member of the system;

13 (3) A vested member of the system; and

14 (4) A retirant or a beneficiary of a retirant of the system.

15 (d) The provisions of this section are severable, and if any provision  
16 of this act is declared invalid, then the remaining provisions of this  
17 section shall remain valid.

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19 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
20 General Assembly of the State of Arkansas that the operations of the Arkansas  
21 Public Employees' Retirement System must be able to meet the needs of its  
22 members as anticipated by the General Assembly; that certain provisions of  
23 the Arkansas Public Employees' Retirement System are in imminent need of  
24 revision before the fiscal year begins on July 1, 2019; and that this act is  
25 immediately necessary in order to maintain an orderly system of benefits for  
26 the members of the Arkansas Public Employees' Retirement System. Therefore,  
27 an emergency is declared to exist, and this act being necessary for the  
28 preservation of the public peace, health, and safety shall become effective  
29 on July 1, 2019.

30 /s/House  
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