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## MARK-UP

RULE 11 - ~~Amended August 1997~~ - DEFERRED RETIREMENT OPTION PLAN  
~~In accordance with Act 967 of 1995, a~~ A member who has ~~30~~ 28 years of credited service and who is otherwise eligible for a service retirement pension, full or reduced, may elect to participate in the Deferred Option Plan. The member's application must be submitted on the proper form and received by the administrative office of the Arkansas State Police Retirement System prior to effective date of participation. The effective date of participation must be the first day of a month. Upon approval by the Board of Trustees, the monthly benefit that would have been payable had the member retired shall be paid into the Arkansas State Police Officers' Deferred Option Plan account. If Board approval occurs after the effective date requested, payment shall be retroactive. ~~This account shall earn interest in accordance with the provisions of Act 967~~ Interest on the account is applied as allowed by law. Interest shall be credited to each individual account at the end of each fiscal year.

The member must terminate his/her employment from Arkansas State Police and start receiving a retirement benefit within ~~five~~ seven years of the date participation begins. The amount in the Deferred Option Plan account may be taken in one of the following methods:

- A lump sum
- A lifetime annuity
- A 5, 10, 15, or 20-year annuity
- A partial lump sum and the balance in a lifetime annuity or a 5, 10, 15, or 20- year annuity.

The monthly payment amount for an annuity will be ~~determine~~ determined by the System's actuary.

The monthly retirement benefit, exclusive of the Deferred Option Plan account, payable to the participant upon termination of employment with the department, shall be the monthly benefit payable at the date participation began in the Deferred Option Plan adjusted for any increases granted to retirees during the period of participation. A member participating in the Deferred Option Plan must make application for regular retirement in the method required for all members of the System.

Amended August 1997, Act 967 of 1995

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/16/21

# A Bill

HOUSE BILL 1343

5 By: Representative Warren  
6 By: Senator Rapert  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING VOLUNTARY RETIREMENT, DEFERRED  
10 RETIREMENT, EMPLOYER CONTRIBUTIONS, THE BENEFIT  
11 MULTIPLIER, THE ELECTION TO PARTICIPATE, THE BOARD OF  
12 TRUSTEES OF THE STATE POLICE RETIREMENT SYSTEM, AND  
13 SYSTEM COSTS; AND FOR OTHER PURPOSES.  
14  
15

## Subtitle

17 CONCERNING VOLUNTARY RETIREMENT, DEFERRED  
18 RETIREMENT, EMPLOYER CONTRIBUTIONS, THE  
19 BENEFIT MULTIPLIER, THE ELECTION TO  
20 PARTICIPATE, THE BOARD OF TRUSTEES OF THE  
21 STATE POLICE RETIREMENT SYSTEM, AND  
22 SYSTEM COSTS.  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code § 24-6-204(a)(2)(A)(i), concerning the Board  
28 of Trustees of the State Police Retirement System, is amended to read as  
29 follows:

30 (i) One (1) active or retired member enrolled in the  
31 Tier I benefits program;  
32

33 SECTION 2. Arkansas Code § 24-6-209(a), concerning employer  
34 contributions under the State Police Retirement System, is amended to read as  
35 follows:

36 (a) The Division of Arkansas State Police, as employer, shall make



1 contributions to the State Police Retirement System of ~~twenty-two percent~~  
2 ~~(22%)~~ twenty-six percent (26%) of active member payroll.

3  
4 SECTION 3. Arkansas Code § 24-6-226(a), concerning eligibility for  
5 benefits and voluntary retirement for noncontributory members of Tier I of  
6 the State Police Retirement System, is amended to read as follows:

7 (a)(1) Any member who has acquired five (5) years but less than ~~thirty~~  
8 ~~(30)~~ twenty-eight (28) years of actual service and has attained age sixty-  
9 five (65) may retire upon written application filed with the Board of  
10 Trustees of the State Police Retirement System.

11 (2) Any member who has acquired five (5) or more years of actual  
12 service and has attained age fifty-two (52) may retire upon written  
13 application filed with the State Police Retirement System.

14 (3) Any member who acquired ~~thirty (30)~~ twenty-eight (28) or  
15 more years of actual service may retire at any age upon written application  
16 filed with the board.

17 (4) For those members with less than ~~thirty (30)~~ twenty-eight  
18 (28) actual years of service, the age sixty-five (65) requirement shall be  
19 reduced by one (1) month for every two (2) months of public safety credit,  
20 but in no event to an age younger than fifty-two (52).

21  
22 SECTION 4. Arkansas Code § 24-6-227(a)(1), concerning benefits for  
23 Tier I noncontributory members of the State Police Retirement System, is  
24 amended to read as follows:

25 (a)(1) Upon retirement as provided in this subchapter, a member shall  
26 receive a straight life pension equal to ~~one and fifty-five-hundredths~~  
27 ~~percent (1.55%)~~ one and sixty-six-hundredths percent (1.66%) of his or her  
28 final average compensation multiplied by the number of years and any fraction  
29 of a year of his or her credited service.

30  
31 SECTION 5. Arkansas Code § 24-6-301 is amended to read as follows:  
32 24-6-301. Election to participate.

33 In lieu of terminating employment and accepting a service retirement  
34 pension, any state police officer who is a member of Tier I of the State  
35 Police Retirement System who has not less than ~~thirty (30)~~ twenty-eight (28)  
36 years of credited service and who is eligible to receive a service retirement

1 pension may elect to participate in the Arkansas State Police Officers  
2 Deferred Option Plan and defer the receipt of benefits in accordance with the  
3 provisions of this subchapter, provided the Board of Trustees of the State  
4 Police Retirement System approves the participation in the plan.

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6 SECTION 6. Arkansas Code § 24-6-404(a), concerning voluntary  
7 retirement and eligibility for benefits under the Tier Two Benefit Plan of  
8 the State Police Retirement System, is amended to read as follows:

9 (a)(1) Any member who has acquired five (5) years but less than ~~thirty~~  
10 ~~(30)~~ twenty-eight (28) years of credited service and has attained age sixty-  
11 five (65) may retire upon his or her written application filed with the Board  
12 of Trustees of the State Police Retirement System.

13 (2) Any member who has acquired ~~thirty (30)~~ twenty-eight (28) or  
14 more years of credited service may retire at any age upon his or her written  
15 application filed with the board.

16 (3) For those members with less than ~~thirty (30)~~ twenty-eight  
17 (28) credited years of service, the age sixty-five requirement shall be  
18 reduced by seventy-five hundredths (0.75) of a month for each credited month  
19 of service, but in no event to an age younger than fifty-five (55).

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21 SECTION 7. Arkansas Code § 24-6-406(a)(1), concerning benefits under  
22 the Tier Two Benefit Plan for the State Police Retirement System, is amended  
23 to read as follows:

24 (a)(1) Upon retirement as provided in this subchapter, a member shall  
25 receive a straight life pension equal to ~~two and four hundred seventy-five~~  
26 ~~thousandths percent (2.475%)~~ two and sixty-five-hundredths percent (2.65%) of  
27 the member's final average compensation multiplied by the number of years and  
28 any fraction of a year of his or her service.

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30 SECTION 8. Arkansas Code § 24-6-502 is amended to read as follows:

31 24-6-502. Election to participate in Arkansas State Police Officers'  
32 Tier Two Deferred Retirement Option Plan.

33 In lieu of terminating employment and accepting a service retirement  
34 pension, a state police officer may elect to participate in the Arkansas  
35 State Police Officers' Tier Two Deferred Retirement Option Plan and defer the  
36 receipt of benefits in accordance with this subchapter if:

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(1) The state police officer:

(A) Is a member of the State Police Retirement System's Tier Two Benefit Plan under § 24-6-401 et seq.;

(B) Has at least ~~thirty (30)~~ twenty-eight (28) years of actual service as a member of the State Police Retirement System's Tier Two Benefit Plan under § 24-6-401 et seq., including service credit a member earns after April 3, 1997, as a member of the plan under § 24-6-401 et seq. and the member's service credit from a reciprocal retirement system under § 24-2-401; and

(C) Is eligible to receive a service retirement pension; and

(2) The Board of Trustees of the State Police Retirement System approves the participation in the Arkansas State Police Officers' Tier Two Deferred Retirement Option Plan.

/s/Warren

**APPROVED: 3/23/21**