

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/5/99 S3/8/99

A Bill

Act 1070 of 1999
SENATE BILL 344

5 By: Senator Everett
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 24-10-505, AS AMENDED
10 BY ACT 1011 OF 1997, TO CLARIFY THAT MEMBERS OF
11 RECIPROCAL SYSTEMS TO THE LOCAL POLICE AND FIRE
12 RETIREMENT SYSTEM ARE NOT ELIGIBLE FOR REFUNDS OF
13 ACCUMULATED CONTRIBUTIONS WHILE RECEIVING *SERVICE*
14 *CREDIT FROM RELATED SYSTEMS*; TO REPEAL ARKANSAS CODE
15 24-10-505, AS AMENDED BY ACT 485 OF 1997; TO REPEAL
16 ARKANSAS CODE 24-10-505, AS AMENDED BY ACT 1024 OF
17 1997; TO AMEND ARKANSAS CODE 24-10-611 TO REVISE THE
18 REFUND OF ACCUMULATED CONTRIBUTIONS FROM MEMBERS'
19 DEPOSIT ACCOUNTS; TO AMEND ARKANSAS CODE 24-10-613 TO
20 CLARIFY THAT VESTED MEMBERS SHALL RECEIVE A BENEFIT;
21 AND FOR OTHER PURPOSES. "
22

Subtitle

23 "TO CLARIFY THAT SOME LOPFI MEMBERS ARE
24 NOT ELIGIBLE FOR REFUNDS OF
25 CONTRIBUTIONS WHILE RECEIVING RECIPROCAL
26 SERVICE CREDIT AND TO REVISE OTHER LOPFI
27 LAWS AND REPEAL REDUNDANT PROVISIONS. "
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30

31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
32

33 SECTION 1. Arkansas Code § 24-10-505, as amended by Act 1011 of 1997,
34 is amended to read as follows:

35 "24-10-505. Public ~~safety~~ service with ~~two~~ other Arkansas systems. ~~[As~~
36 ~~amended by Acts 1997, No. 1011.]~~

1 ~~(a)(1) 'Public safety service', for the purpose of this section, means~~
 2 ~~paid service as a police officer, law enforcement officer, or fire fighter~~
 3 ~~with an Arkansas state or local government agency, department, or institution~~
 4 ~~which is covered by a related system for retirement purposes. Provided,~~
 5 ~~however, nothing in this section shall entitle a position listed herein to~~
 6 ~~public safety credit in the Arkansas Public Employees' Retirement System~~
 7 ~~unless the position is defined as 'public safety member' in § 24-3-102(5).;~~
 8 ~~[sic]~~

9 ~~(2) 'Related system', for the purpose of this section, means any~~
 10 ~~of three (3) four (4) retirement systems: the Arkansas Local Police and Fire~~
 11 ~~Retirement System, the Arkansas Public Employees' Retirement System, or the~~
 12 ~~State Police Retirement System, or the Teacher Retirement System.~~

13 ~~(b) Upon termination of public safety service with all Arkansas~~
 14 ~~governmental units, a public safety employee whose public safety service was~~
 15 ~~covered at different times by more than one (1) related system shall receive~~
 16 ~~retirement benefits based upon public safety service covered by a related~~
 17 ~~system if the person has reached age sixty-two (62) years of age or older and~~
 18 ~~has total public safety service credit with all related systems of at least~~
 19 ~~ten (10) years or if the total of public safety service credit with all~~
 20 ~~related systems is at least twenty (20) years, provided the provisions of~~
 21 ~~§ 24-3-301(b) are not used to meet this total service requirement. The minimum~~
 22 ~~service requirements for an age and service benefit and for vesting shall then~~
 23 ~~be considered to be satisfied for each related system.~~

24 ~~(c)(b)~~ The benefit payable by each related system shall be based upon
 25 the service credit with that system, the benefit program the related system
 26 had in effect at the time the member terminated service covered by the related
 27 system, and his service and pay covered by the related system while the
 28 service was being rendered.

29 ~~(c)~~ During any period that a person is employed in a position covered by
 30 a related system, that employee is ineligible to receive a refund of
 31 accumulated contributions from any related retirement system in which that
 32 employee has service credits and accumulated contributions standing in his
 33 account. Accumulated contributions may only be refunded when the employee
 34 terminates all employment covered by a related system and does not have, in
 35 the aggregate, sufficient years of credited service to be eligible for an age
 36 and service benefit from any of the related retirement systems."

1
2 SECTION 2. Arkansas Code § 24-10-505, as amended by Act 485 of 1997, is
3 repealed.

4 ~~24-10-505. Public safety service with two other Arkansas systems. [As~~
5 ~~amended by Acts 1997, No. 485.]~~

6 ~~(a)(1) "Public safety service", for the purpose of this section, means~~
7 ~~paid service as a police officer or fire fighter or service as a public safety~~
8 ~~member with the Public Employees' Retirement System by a person whose~~
9 ~~employment occurred prior to July 1, 1997;~~

10 ~~(2) "Related system", for the purpose of this section, means any~~
11 ~~of three (3) retirement systems: the Arkansas Local Police and Fire Retirement~~
12 ~~System, the Arkansas Public Employees' Retirement System, or the State Police~~
13 ~~Retirement System.~~

14 ~~(b) Upon termination of public safety service with all Arkansas~~
15 ~~governmental units, a public safety employee whose public safety service was~~
16 ~~covered at different times by more than one (1) related system shall receive~~
17 ~~retirement benefits based upon public safety service covered by a related~~
18 ~~system if the total of public safety service credit with all related systems~~
19 ~~is at least twenty (20) years, provided the provisions of § 24-3-301(b) are~~
20 ~~not used to meet this total service requirement. The minimum service~~
21 ~~requirements for an age and service benefit shall then be considered to be~~
22 ~~satisfied for each related system.~~

23 ~~(c) The benefit payable by each related system shall be based upon the~~
24 ~~service credit with that system, the benefit program the related system had in~~
25 ~~effect at the time the member terminated service covered by the related~~
26 ~~system, and his service and pay covered by the related system while the~~
27 ~~service was being rendered.~~

28
29 SECTION 3. Arkansas Code § 24-10-505, as amended by Act 1024 of 1997,
30 is repealed.

31 ~~24-10-505. Public safety service with two other Arkansas systems. [As~~
32 ~~amended by Acts 1997, No. 1024.]~~

33 ~~(a)(1) "Public safety service", for the purpose of this section, means~~
34 ~~paid service as a police officer or fire fighter;~~

35 ~~(2) "Related system", for the purpose of this section, means any~~
36 ~~of four (4) retirement systems: the Arkansas Local Police and Fire Retirement~~

1 ~~System, the Arkansas Public Employees' Retirement System, the State Police~~
2 ~~Retirement System, or the Arkansas Teacher Retirement System.~~

3 ~~(b) Upon termination of public safety service with all Arkansas~~
4 ~~governmental units, a public safety employee whose public safety service was~~
5 ~~covered at different times by more than one (1) related system shall receive~~
6 ~~retirement benefits based upon public safety service covered by a related~~
7 ~~system if the total of public safety service credit with all related systems~~
8 ~~is at least twenty (20) years, provided the provisions of § 24-3-301(b) are~~
9 ~~not used to meet this total service requirement. The minimum service~~
10 ~~requirements for an age and service benefit shall then be considered to be~~
11 ~~satisfied for each related system.~~

12 ~~(c) The benefit payable by each related system shall be based upon the~~
13 ~~service credit with that system, the benefit program the related system had in~~
14 ~~effect at the time the member terminated service covered by the related~~
15 ~~system, and his service and pay covered by the related system while the~~
16 ~~service was being rendered.~~

17
18 SECTION 4. Arkansas Code § 24-10-613(b), regarding the disposition of
19 accumulated member contributions for the Local Police and Fire Retirement
20 System, is amended to read as follows:

21 "(b) In the event a member ceases to be a member, other than by death,
22 before the date he becomes ~~entitled to retire with~~ vested to receive an
23 annuity payable by the system, he shall be paid, upon his written application
24 filed with the board, the accumulated contributions standing to his credit in
25 the members' deposit account."

26
27 SECTION 5. Arkansas Code § 24-10-611(a), regarding the termination of
28 covered employment under the Local Police and Fire Retirement System, is
29 amended to read as follows:

30 "(a) A member who terminates covered employment before attaining his
31 normal retirement age, for a reason other than death, early retirement, or
32 disability retirement, shall be entitled to an annuity computed in accordance
33 with the provisions of this section, as it provides at the time of the last
34 termination of covered employment, subject to the member's satisfying all of
35 the following conditions:

36 (1) The member has five (5) years of credited service;

