

1 State of Arkansas As Engrossed: S3/4/13 S3/7/13

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 146

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5 By: Senator J. Key

6 By: Representative Gossage

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For An Act To Be Entitled

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AN ACT CONCERNING THE PARTICIPATION OF SCHOOL

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RESOURCE OFFICERS INDIRECTLY PAID BY A SYSTEM

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EMPLOYER IN THE ARKANSAS TEACHER RETIREMENT SYSTEM;

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AND FOR OTHER PURPOSES. RETIREMENT SYSTEM ACT; AND

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FOR OTHER PURPOSES.

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Subtitle

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CONCERNING THE PARTICIPATION OF SCHOOL

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RESOURCE OFFICERS INDIRECTLY PAID BY A

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SYSTEM EMPLOYER IN THE ARKANSAS TEACHER

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RETIREMENT SYSTEM.

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

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SECTION 1. Arkansas Code § 24-7-501(a), concerning membership in the

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Arkansas Teacher Retirement System,, is amended to add an additional

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subdivision to read as follows:

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"(3)(A) School resource officers who are qualified under this

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subdivision and elect to participate in the system on or after July 1, 2013.

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(B) To participate in the system:

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(i) A school resource officer paid indirectly by a

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system employer shall be:

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(a) A retiree of a reciprocal system;

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(b) An Arkansas-certified law enforcement

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officer; and

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(c) Employed primarily to provide services at



1 a system employer; and

2 (ii) A school resource officer paid indirectly by a
3 system employer shall not:

4 (a) Have participated in the Arkansas Police
5 Officers' Deferred Retirement Option Plan; and

6 (b) Be eligible to participate as an active
7 member of the public retirement system that covers the direct employer of the
8 school resource officer.

9 (C) A school resource officer shall not receive retirement
10 credit for the same service or salary in another public retirement system in
11 Arkansas.

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

15 (ii) A resolution adopted by the system employer
16 shall:

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

19 (b) State the employer's agreement to act as
20 the system employer for the purpose of reporting service, paying
21 contributions to the system on behalf of a school resource officer, and
22 performing all member services as if the school resource officer were
23 directly employed by the system employer.

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

27 (E)(i) The salary and service used to determine
28 contributions and benefits in the system shall be based on the salary paid to
29 the school resource officer for performing the services of a school resource
30 officer for the system employer.

31 (ii) If an employer reimburses another public entity
32 for the payment of the school resource officer's salary and salary related
33 costs, the employer receiving the employment services of the school resource
34 officer shall be the system employer for the purpose of system participation
35 and not the direct public employer.

36 (iii) If a system employer pays all or part of a

1 school resource officer's salary indirectly by reimbursing a law enforcement
2 agency in Arkansas, the system shall treat all salary indirectly paid by the
3 system employer to the school resource officer as if it had been paid by the
4 system employer directly.

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

9 (G) Service as a school resource officer rendered before
10 July 1, 2013, shall not be purchased.

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12 /s/J. Key
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15 **APPROVED: 03/21/2013**
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