

**ARKANSAS SENATE**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of Senate Bill No. 144**

"TO MAKE CERTAIN MUNICIPAL JUDGES ELIGIBLE FOR RETIREMENT BENEFITS  
UNDER A MUNICIPAL JUDGE'S RETIREMENT SYSTEM."

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**Amendment No. 1 to Senate Bill No. 144.**

Amend Senate Bill No. 144 as originally introduced:

Page 1, line 11, add after the semi colon:

"TO AMEND ARKANSAS CODE 24-8-311 AND 24-8-408 TO PROVIDE FOR SURVIVOR BENEFITS FOR SPOUSES OF MUNICIPAL COURT CLERKS;"

AND

Page 1, line 15, delete "JUDGES" and substitute: "JUDGES AND COURT CLERKS' SURVIVING SPOUSES"

AND

Page 2, delete line 10 and substitute the following:  
"death or remarriage.

SECTION 2. Arkansas Code 24-8-311 is amended to read as follows:

24-8-311. Eligibility for benefits - Clerks.

(a)(1) Any clerk of a municipal court to which this subchapter applies, appointed by the judges of the court, who shall attain age sixty (60) and who shall have served in office as clerk for at least ten (10) years, or who shall have served in office for at least twenty (20) years irrespective of age, shall be eligible to receive retirement benefits provided by this subchapter.

(2) If the clerk resigns, retires from office, or is succeeded in office by another clerk, the clerk shall receive retirement benefits for and during the remainder of his natural life in an amount equal to one-half (1/2) of the salary payable to him at the time of resignation, retirement, or succession in office.

(3) After the death of the clerk, the surviving spouse of a qualifying court clerk shall be entitled to continue to receive the retirement benefits under this subchapter until the surviving spouse dies or remarries.

(b) Upon the approval of the governing body of the municipality and

following a determination of the actuarial soundness of the fund from which the benefits shall be paid, any court clerk of a municipal court who upon reaching age sixty-eight (68) will have served for a minimum of seven (7) years immediately prior to severance from employment may retire with a reduced benefit in an amount equal to seven-tenths (0.7) of the benefits payable under subsection (a) of this section.

(c)(1) The board of trustees by resolution may provide retirement benefits to a clerk who is incapacitated due to illness or disability and has served for a minimum of seven (7) years.

(2) The clerk may retire with a reduced benefit in an amount equal to seven-tenths (0.7) of the benefits payable under subsection (a) of this section.

SECTION 3. Arkansas Code 24-8-408 is amended to read as follows:

24-8-408. Eligibility for benefits - Clerks.

(a)(1) Any clerk of a municipal court to which this subchapter applies, appointed by the judge or judges of the court, who shall attain age sixty (60) and who shall have served in office as clerk for at least ten (10) years, or who shall attain age sixty-five (65) and who shall have served in office for at least eight (8) years, or who shall have served in office for at least twenty (20) years, irrespective of age, or who shall have served twenty (20) or more consecutive years, irrespective of age, as a city employee for the city in which he clerks, with eight (8) or more of those years served in the office of municipal clerk, shall be eligible to receive retirement benefits provided by this subchapter.

(2) If the clerk resigns, retires from office, or is succeeded in office by another clerk, the clerk shall receive retirement pay for and during the remainder of his natural life in an amount equal to one-half (1/2) of the salary payable to him at the time of resignation, retirement, or succession in office.

(3) The governing body of the municipality or the county may, by ordinance, provided that, after the death of the clerk, the surviving spouse of a qualifying court clerk can continue to receive the retirement benefits under this subchapter until the surviving spouse dies or remarries.

(b)(1) Any clerk of a municipal court who is covered by the provisions of this subchapter and who has seven (7) or more years of service in any position in the office of the county sheriff shall be entitled to have the service in the office of the county sheriff credited as municipal court clerk service.

(2) The service so converted shall be treated the same as if it were service as clerk of a municipal court in the county for purposes of determining eligibility for retirement under the provisions of this subchapter. "

AND

Page 2, line 12, delete "2" and substitute "4"

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Everett

EN/VJF

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Secretary