

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 124

"AN ACT TO ALLOW THE ARKANSAS TEACHER RETIREMENT SYSTEM TO
WITHHOLD BENEFITS IN CERTAIN CIRCUMSTANCES TO ASSIST IN COLLECTING
ACCOUNTS RECEIVABLE."

Amendment No. 1 to Senate Bill No. 124.

Amend Senate Bill No. 124 as originally introduced:

Page 1, delete line 29, and substitute the following:

"Board of Trustees of the Arkansas Teacher Retirement System, or its designee, shall correct the"

AND

Page 1, delete line 31, and substitute the following:

"or refund payable to the person, his or her beneficiary, or his or her estate, in such manner that"

AND

Page 2, delete lines 2 through 4, and substitute the following:

"person is not entitled, the Board of Trustees of the Arkansas Teacher Retirement System, or its designee, pursuant to rules adopted by the board, may:"

AND

Page 2, delete line 6 and substitute the following:

"due the person, the person's beneficiary, or estate; or"

AND

Page 2, delete line 10, and substitute the following:

"total amount withheld equals all amounts payable by the person to the system.

(3)(A) Prior to making an adjustment of benefits or pursuing any other collection action under this section, the board or its designee shall provide notice to the person who will receive the adjustment.



(B) The notice shall describe the process for disputing an adjustment of benefits.

(4) The board or its designee may waive adjustment or repayment if:

(A) The overpayment was not the result of the retiree's or the beneficiary's nondisclosure, fraud, misrepresentation, or other fault; and

(B) The board's designee finds in his or her sole discretion that recovery of the overpayment could be a manifest injustice."

The Amendment was read _____
By: Representative Sullivan
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Chief Clerk