**Stricken language would be deleted from and underlined language would be added to present law.**

1 State of Arkansas
2 89th General Assembly      A Bill      DRAFT JAM/JAM
3 Regular Session, 2013                              SENATE BILL
4
5 By: Senator <NA>
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8                                **For An Act To Be Entitled**
9             AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 24,
10             CONCERNING PUBLIC RETIREMENT AND PENSION LAW, OF THE
11             ARKANSAS CODE; AND FOR OTHER PURPOSES.
12
13
14                                    **Subtitle**
15             TO MAKE TECHNICAL CORRECTIONS TO TITLE
16             24, CONCERNING PUBLIC RETIREMENT AND
17             PENSION LAW, OF THE ARKANSAS CODE.
18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21
22      SECTION 1.  Arkansas Code § 24-5-118(a)(2)(A)(i)(d), concerning annuity
23 options under the Arkansas State Highway Employees' Retirement System, is
24 amended to read as follows to correct an internal reference:
25      (d)  This subdivision (a)(2)~~(B)(i)~~(A)(i) ~~shall apply~~ applies to all
26 members and retirants.
27
28      SECTION 2.  Arkansas Code § 24-7-205(c), concerning the correction of
29 errors under the Arkansas Teacher Retirement System, is amended to read as
30 follows to clarify the wording:
31      (c)(1)  As used in this subsection, "system action" means ~~A~~ a system-
32 initiated determination, review, administrative action, cause of action, or
33 request to enforce, change, or modify an obligation, duty, benefit
34 calculation, designation, refund, contribution, service credit, or other
35 right arising under this subchapter ~~shall not be valid unless commenced~~
36 ~~within the look-back period unless the system determines that the~~

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1  ~~justification to commence the process is due to intentional nondisclosure,~~

2  ~~fraud, misrepresentation, or criminal act.~~

3  <u>(2)  Except as provided in subdivision (c)(3) of this section, a</u>

4  <u>system action must commence within the look-back period, or it is invalid.</u>

5  <u>(3)  A system action commenced beyond the look-back period is</u>

6  <u>valid if the system determines that the system action is justified by</u>

7  <u>intentional nondisclosure, fraud, misrepresentation, or criminal act.</u>

8

9  SECTION 3.  Arkansas Code § 24-10-102(28), concerning the definition of

10  "political subdivision" under the Arkansas Local Police and Fire Retirement

11  System, is amended to read as follows to use the preferred singular noun

12  form:

13  (28)  "Political subdivision" means:

14  (A)  ~~Incorporated towns~~ <u>An incorporated town</u>;

15  (B)  ~~Cities~~ <u>A city</u> of the first class;

16  (C)  ~~Cities~~ <u>A city</u> of the second class;

17  (D)  ~~Counties~~ <u>A county</u>;

18  (E)  ~~Fire~~ <u>A fire</u> protection ~~districts~~ <u>district</u> that

19  ~~maintain~~ <u>maintains</u> standards established by the board;

20  (F)  ~~Rural~~ <u>A rural</u> fire protection ~~corporations~~

21  <u>corporation</u>; and

22  (G)  ~~Suburban~~ <u>A suburban</u> improvement ~~districts~~ <u>district</u>;

23

24  SECTION 4.  Arkansas Code § 24-11-213(c)(2), concerning apportionment

25  of revenues to the Firemen's and Police Officers' Pension and Relief Fund, is

26  amended to read as follows to correct a reference to a fund:

27  (2)  The remaining percentage shall be distributed to the General

28  Revenue Fund <u>Account of the State Apportionment Fund</u>.

29

30  SECTION 5.  Arkansas Code § 24-11-801(a)(4)(B), concerning the

31  definition of "member" in relation to the qualifications required for

32  membership on a board of trustees of a firemen's pension and relief fund, is

33  amended to read as follows to clarify the wording:

34  (B)~~(i)~~  As used in this section, "member" includes an

35  active or retired member of the fund~~.~~

36  ~~(ii)  "Member"~~ <u>but</u> does not include a beneficiary of

1    the fund.

2

3        SECTION 6.  DO NOT CODIFY.  The enactment and adoption of this act

4    shall not repeal, expressly or impliedly, the acts passed at the regular

5    session of the Eighty-Ninth General Assembly.  All such acts shall have the

6    full force and effect and, so far as those acts intentionally vary from or

7    conflict with any provision contained in this act, those acts shall have the

8    effect of subsequent acts and as amending or repealing the appropriate parts

9    of the Arkansas Code of 1987.

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