

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1397

By: Representatives S. Miller, McGinnis and Maddox

"AN ACT TO REPEAL ACT 470 OF 1977 AS AMENDED; TO AMEND PARAGRAPH (a) OF SUBSECTION A OF SECTION 6 OF ACT 177 OF 1957, AS AMENDED, [ARK. STAT. 12-2506) (A) (a)] TO ALLOW PUBLIC OFFICIALS TO RECEIVE RETIREMENT BENEFITS WHILE SERVING IN THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES."

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

SECTION 1. Paragraph (a) of Subsection A of Section 6 of Act 177 of 1957 as amended, the same being Arkansas Statute 12-2506 A(a), is hereby amended to read as follows:

"A.(a) (1) Except as set forth in subparagraph (2) below, all state employees, as defined in Section 1 E hereof, shall become members of the System as a condition of employment.

(2) Membership in the System shall not be mandatory for any member of the General Assembly who notifies the System in writing within ninety (90) days after taking the oath of office or within ninety days of the effective date of this Act of his decision not to participate. By electing not to become a member of the System, such an individual is precluded from earning any credit or receiving any benefit based upon General Assembly service; however, nothing in this Act shall abrogate the entitlement to retirement benefits based upon any other covered employment.

SECTION 2. Act 470 of 1977, as amended, the same being Arkansas Statute 12-2518.1, is hereby repealed.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that the democratic process is being unnecessarily burdened by Act 470 of 1977; that the repeal of that Act is immediately necessary; that an undue hardship will result to the detriment of the public health, welfare and safety if this Act does not become effective immediately upon passage thereof. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

