

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Representative Givens

HOUSE BILL 1556

"AN ACT TO AMEND SUBSECTION (a) OF SECTION 2 OF ACT 365 OF 1953, AS AMENDED [ARK. STAT. 22-902(a)], PERTAINING TO RETIREMENT BENEFITS OF JUDGES; AND FOR OTHER PURPOSES."

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

SECTION 1. That subsection (a) of Section 2 of Act 365 of 1953, as amended, the same being Section 22-902(a) of the Arkansas Statutes, is hereby amended to read as follows:

"(a) RIGHT TO RETIREMENT. Any active member with a minimum of ten (10) years credited service may voluntarily retire upon reaching sixty-five (65) years of age or thereafter upon filing a written application with the Board. Any other member who has a minimum of twenty (20) years credited service may retire regardless of age, and any judge who has served at least fourteen (14) years shall be eligible for benefits upon reaching age sixty-five (65). Any judge first elected after July 1, 1965 shall not be compelled to retire upon reaching age seventy (70). In instances where the office held by such judge first elected after July 1, 1965 will be on the ballot at the first general election immediately following the judge's seventieth (70th) birthday, the judge shall forfeit all rights to draw retirement benefits under this Act if: (1) the judge continues to serve after January 1 of the year immediately following the general election and (2) the judge does not at least one year before the date of the general election notify the Secretary of State that the judge intends not to seek re-election. In instances where the office held by such judge first elected after July 1, 1965 will not be on the ballot at the first general election immediately following the judge's seventieth (70th) birthday, the judge shall forfeit all rights to draw retirement benefits under this Act if the judge continues to serve past January 1 immediately following that general election. Provided, however, that any circuit or chancery judge

serving in a judicial district having a county with a population in excess of 200,000 inhabitants according to the most recent federal decennial census, who becomes seventy (70) years of age during a term of office to which he has been elected, may complete such term without forfeiting his right to retirement benefits under this Act; otherwise, judges must retire by their seventieth (70th) birthday or lose their retirement benefits, except as provided in this sentence.

Provided, that in all cases of age and service retirement for judges elected after July 1, 1983, the member must have a minimum of eight (8) years actual service as a judge of the Supreme Court, circuit or chancery courts, or of the Court of Appeals."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

