

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Bell

SENATE BILL21

"AN ACT TO AMEND SUBSECTION (1) OF SECTION 1 OF ACT 454 OF 1949, AS AMENDED [ARK. STAT. 76-1901(1)], AND SUBSECTION (a) OF SECTION 11 OF ACT 454 OF 1949, AS AMENDED [ARK. STAT. 76-1911(a)], TO PROVIDE RETIREMENT CREDIT FOR EMPLOYEES' ACCRUED SICK LEAVE FOR THE ARKANSAS STATE HIGHWAY EMPLOYEES RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (1) of Section 1 of Act 454 of 1949, as amended, the same being Arkansas Statute 76-1901(1), is hereby amended to read as follows:

(1) 'Creditable Service' means the current service of the member plus such portion of Prior Service time for which contributions have been made by the member plus the members' days of accrued sick leave recorded on the records of the Arkansas Highway and Transportation Department as of the members' date of retirement for which contributions are not required to be paid. Retirement benefits shall be computed upon the Creditable Service of the members. The Board shall determine by appropriate rules and regulations how much service in any fiscal year is the equivalent of a year of Creditable Service."

SECTION 2. Subsection (a) of Section 11 of Act 454 of 1949, as amended, the same being Arkansas Statute 76-1911(a), is hereby amended to read as follows:

(a) As used in this subsection, 'creditable service' is exclusive of the members' accrued sick leave at date of retirement. A member may retire voluntarily at the age of sixty-five (65) or during any year thereafter until the age of compulsory retirement has been attained, provided such member has a minimum of ten (10) years creditable service in the Arkansas State Highway

Employees Retirement System. Any member who has attained the age of sixty-two (62) years with a minimum of fifteen (15) years of creditable service in the Arkansas State Highway Employees Retirement System may voluntarily retire. Any member who has attained the age of sixty (60) years with a minimum of twenty (20) years of creditable service in the Arkansas State Highway Employees retirement system may voluntarily retire. A member with thirty (30) years of creditable service in the Arkansas State Highway Employees Retirement System may voluntarily retire regardless of age. It is further provided that no member may accrue more than thirty-five (35) years of creditable service plus the members' days of accrued sick leave recorded on the records of the Arkansas Highway and Transportation Department as of the members' date of retirement. After a member has thirty-five (35) years of creditable service (exclusive of accrued sick leave) membership shall remain until retirement and no further payroll deductions as provided in Section 9(a) and (b) of this Act shall be made, except that payroll deductions for supplemental contributions as provided for in Section 9(b) (2) may be made. Provided, however, that, upon the election of a member with thirty-five (35) years service, exclusive of accrued sick leave, by written notice filed with the Executive Secretary of the Board, the member's contribution and the State's matching contribution to the System shall be continued, and each additional year or fraction thereof of current service accrued shall be substituted for a year or fraction thereof to the member's earliest creditable service, whether prior service or current service, beginning with the most remote year thereof and continuing in regular chronological order, for the purpose of computing the member's average compensation."

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

SECTION 4. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly that the allowance of accrued sick leave toward retirement will enhance the State program for early retirement, and provide for more hours of productive work from employees and it is hereby found and determined by the General Assembly that this Act is immediately necessary to accomplish the same. Now therefore, an emergency is declared to exist, and this Act, being necessary for the immediate preservation of the public health, welfare

and safety, shall be in full force and effect from its passage and approval.