

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative M. Wilson

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR A COST OF LIVING INCREASE IN
9 RETIREMENT BENEFITS FOR MEMBERS OF THE ARKANSAS JUDICIAL
10 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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Subtitle

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

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18 SECTION 1. As used in this act:

19 (a) "System" means the Arkansas Judicial Retirement System.

20 (b) "The amount of the benefit otherwise payable" means the full
21 amount of the monthly benefit that would be payable disregarding the
22 provisions of this section redetermining the benefit amount after retirement.

23 (c) "Consumer price index" means the Consumer Price Index for All
24 Urban Consumers, as determined by the United States Department of Labor, in
25 effect January 1, 1987. Should the consumer price index be reconstructed
26 subsequent to 1995 in a manner materially changing its character, the board
27 of trustees, after receiving the advice of the actuary, shall change the
28 application of the consumer price index so that, as far as practicable, the
29 intent of the use of the consumer price index shall be continued.

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31 SECTION 2. (a) Each July 1 the system shall redetermine the amount of
32 each monthly benefit that has been payable by the system for at least twelve
33 (12) full calendar months. The redetermined amount shall be payable for the
34 following twelve (12) months.

35 (b) Subject to the maximum stated in subsection (c) of this section,

1 such redetermined amount shall be the amount of the benefit otherwise payable
2 on July 1, plus an increase of three percent (3%).

3 (c) In no event shall the redetermined amount be less than the amount
4 of the benefit otherwise payable. The redetermined amount shall not be more
5 than the amount of the benefit otherwise payable multiplied by the following
6 fraction:

7 (1) The numerator shall be the average of the consumer price
8 index for the twelve (12) calendar months in the calendar year immediately
9 preceding July 1, but in no event an amount less than the denominator; and

10 (2) The denominator shall be the average of the consumer price
11 index for the twelve (12) calendar months in the calendar year immediately
12 preceding the effective date of the benefit.

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14 SECTION 3. This method of redetermination of the amount of retirement
15 benefits shall be applicable to any judge first elected after July 1, 1983.

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17 SECTION 4. All provisions of this act of a general and permanent
18 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
19 Code Revision Commission shall incorporate the same in the Code.

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21 SECTION 5. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 6. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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