

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Dawson

A Bill

HOUSE BILL 1191

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-7-707 TO DELETE THE
9 REQUIREMENT THAT AN INACTIVE MEMBER WITH TWENTY-FIVE (25)
10 YEARS OF CREDITED SERVICE APPLYING FOR RETIREMENT BE
11 FIFTY-FIVE (55) YEARS OF AGE; TO DECLARE AN EMERGENCY; AND
12 FOR OTHER PURPOSES."

Subtitle

15 "TO DELETE THE 55-YEAR OLD REQUIREMENT
16 FOR RETIREMENT FOR INACTIVE MEMBERS IN
17 THE TEACHER RETIREMENT SYSTEM."

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

21 SECTION 1. Arkansas Code § 24-7-707 is amended to read as follows:

22 "24-7-707. Deferred annuity.

23 (a)(1) Should an active member cease to be an active member before
24 attaining age sixty (60) years, other than by death or retirement, but after
25 completing ten (10) years of credited service, he shall become an inactive
26 member and shall be entitled to a deferred annuity as provided for in this
27 section, but only if he does not withdraw his accumulated contributions from
28 the members deposit account and is not employed in a position covered by
29 another retirement plan which is supported wholly or in part by state
30 contributions.

31 (2) The deferred annuity shall commence as of the first day of
32 the calendar month next following the later of:

33 (A) His deferred annuity age; or

34 (B) The date his written application is received by the
35 board.

1 (3) Deferred annuity age is age sixty (60) years for all members
2 eligible for a deferred annuity and who do not have twenty-five (25) or more
3 years of credited service.

4 (4) A member shall have the right to elect an option provided
5 for in § 24-7-706 at the time of filing the written application.

6 (b) An inactive member's deferred annuity shall be a life annuity as
7 provided for in § 24-7-705 if his annuity deferment age is sixty (60) years
8 or over, or as provided for in § 24-7-702 if his annuity deferment age is
9 under age sixty (60) years.

10 (c)(1) An inactive member otherwise entitled to a deferred annuity
11 shall be entitled to a deferred annuity only if he lives to his annuity
12 deferment age and if written application for a deferred annuity is received
13 from him by the board.

14 (2) In the event the inactive member does not so live or in the
15 event the written application is not received by the board, no benefits
16 whatsoever shall be paid except under the provisions of § 24-7-711."

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18 SECTION 2. All provisions of this act of general and permanent nature
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
20 Revision Commission shall incorporate the same in the Code.

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22 SECTION 3. If any provisions of this act or the application thereof to
23 any person or circumstance is held invalid, the invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provisions or application, and to this end the provisions of this
26 act are declared to be severable.

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28 SECTION 4. All laws and parts of laws in conflict with this act are
29 hereby repealed.

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31 SECTION 5. Emergency. It is hereby found and determined by the
32 Eightieth General Assembly of the State of Arkansas that the certain
33 restrictions placed on the retirement of members under the Arkansas Teacher
34 Retirement System are inequitable and that those restrictions should be
35 changed and eliminated as soon as practicable without delay in order to avoid

1 an undue hardship to many retirants and beneficiaries. Therefore, in order
2 to reduce the inequities of the Teacher Retirement System, an emergency is
3 hereby declared to exist, and this act being necessary for the immediate
4 preservation of the public peace, health, and safety, shall be in full force
5 and effect from and after July 1, 1995.

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