

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

A Bill

HOUSE BILL 1505

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-11-102 PERTAINING TO
9 MUNICIPAL FIREMEN_S AND POLICEMEN_S PENSION FUNDS; TO
10 REPEAL ARKANSAS CODE 24-11-427; AND FOR OTHER PURPOSES."

Subtitle

12 "AMEND ARKANSAS CODE 24-11-102
13 PERTAINING TO MUNICIPAL FIREMEN_S AND
14 POLICEMEN_S PENSION FUNDS; TO REPEAL
15 ARKANSAS CODE 24-11-427."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code 24-11-102 is amended to read as follows:

21 "§ 24-11-102. Increase in benefits.

22 (a) The board of trustees of a municipal firemen's relief and pension
23 fund and the board of trustees of a policemen's pension and relief fund are
24 authorized to increase benefits for future or current retired members and
25 beneficiaries of the firemen's or policemen's pension and relief funds.

26 (b) Any proposed increase by the board of trustees shall be in strict
27 compliance with the following conditions:

28 (1) The board of trustees of the firemen's or policemen's
29 pension and relief fund shall adopt a resolution approved by not less than
30 three-fourths (3/4) of the membership of the board of trustees, outlining the
31 proposed increase in benefits;

32 (2)(A) The action proposed by the board of trustees under the
33 resolution shall be determined by actuarial evaluations to be actuarially
34 feasible to the extent that the unfunded liabilities resulting from the
35 proposed increase in member or beneficiary benefits under the fund will be

1 funded over a period of not more than thirty (30) years, pursuant to rules
 2 promulgated by the Arkansas Fire and Police Pension Review Board, based on
 3 the current available and known revenue or income sources available to the
 4 retirement and pension fund.

5 (B) The actuarial evaluations shall be made by an actuary
 6 who is a member of the American Academy of Actuaries and who is employed by
 7 the Arkansas Fire and Police Pension Review Board.

8 (C) The Executive Director of the Arkansas Fire and Police
 9 Pension Review Board shall state the actuarial findings in writing to the
 10 board of trustees and shall certify the appropriate action to be taken;

11 (3)(A) A copy of the resolution adopted by the board of trustees
 12 of the firemen's or policemen's pension and relief fund outlining the
 13 proposed increase in member or beneficiary benefits is filed with the
 14 executive director who shall determine that an actuarial evaluation has been
 15 made in accordance with the provisions of this subchapter and that the
 16 actuarial evaluation had determined that the proposed increase in benefits
 17 may be funded, over a period of time set forth in subdivision (b)(2)(A) of
 18 this section, based on available or defined revenue sources of the relief
 19 fund, in which event the executive director may approve the proposed increase
 20 to member beneficiary benefits under the firemen's or policemen's pension and
 21 relief fund.

22 (B) The board of trustees of the firemen's or policemen's
 23 pension and relief fund shall comply with the appropriate action as approved
 24 by the executive director;

25 (4)(A) A copy of the resolution adopted by the board of
 26 trustees, a copy of the actuarial evaluation, and a copy of the action taken
 27 by the executive director is filed with the circuit clerk and the city clerk
 28 of the county and city in which the firemen's or policemen's pension and
 29 relief fund is located.

30 (B) All actions taken by the executive director shall be
 31 subject to review and acceptance by the Arkansas Fire and Police Pension
 32 Review Board.

33 (c) If it is determined by the Arkansas Fire and Police Pension Review
 34 Board that a local pension plan is not complying with the provisions of law
 35 governing benefit increases, the executive director of the board shall

1 certify that noncompliance to the Insurance Commissioner, and the Insurance
2 Commissioner shall withhold all moneys otherwise due the plan from the state
3 until compliance is achieved."

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5 SECTION 2. Arkansas Code 24-11-427 is hereby repealed.

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7 SECTION 3. All provisions of this act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 4. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

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17 SECTION 5. All laws and parts of laws in conflict with this act are
18 hereby repealed.

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