

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1553

4 By: Representatives Horn, Owens, Wallis, Ammons, and Ferguson

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## For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE MEMBERS OF THE PUBLIC EMPLOYEES\_  
9 RETIREMENT SYSTEM (PERS) TO PURCHASE SERVICE CREDIT FOR  
10 TIME LOST DUE TO WORK-RELATED INJURIES FOR WHICH WORKERS\_  
11 COMPENSATION BENEFITS WERE RECEIVED; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES."

13

## Subtitle

14  
15 "TO ALLOW PERS MEMBERS TO PURCHASE  
16 SERVICE CREDIT FOR TIME LOST DUE TO  
17 WORKERS' COMPENSATION INJURIES."

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

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21 SECTION 1. Any member of the Public Employees\_ Retirement System who  
22 suffers from or who has suffered in the past from a work-related injury for  
23 which workers\_ compensation benefits were paid under the workers\_  
24 compensation laws, and whose annuity from the Public Employees\_ Retirement  
25 System would otherwise be reduced due to the reduced salary and lost credited  
26 service, shall be entitled to obtain credited service for the actual time  
27 period of reduced salary and lost service credit by paying to the system the  
28 amount of money both he and the employer would have contributed had his  
29 salary not been reduced, plus interest at the rate of six percent (6%) per  
30 annum, compounded, calculated from the date the contributions would have  
31 been made until the date payment is made to the Public Employees\_ Retirement  
32 System. Provided, however, at the discretion of the employer, any employer  
33 under the Public Employees\_ Retirement System may elect to implement a policy  
34 to pay the employer\_s portion of any contributions that an employee would  
35 otherwise be responsible to pay under this section to receive the service

1 credit.

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4           SECTION 2. Arkansas Code 24-3-201(e) as amended by ACT 628 of 1995 is  
5 amended by inserting an additional paragraph at the end thereof to read as  
6 follows:

7           "(5) If no temporary annuity is payable as provided in this  
8 subsection, or after such temporary annuity has terminated, and if such  
9 member has at retirement any credited service for any period of time prior to  
10 July 1, 1991, then the future payments of such annuity for life shall not be  
11 less than they would have been under the provisions that were in effect on  
12 July 1, 1990, for this subsection, the provisions of §§ 24-3-102(8) and 24-4-  
13 101(17)."

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15           SECTION 3. All provisions of this act of general and permanent nature  
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
17 Revision Commission shall incorporate the same in the Code.

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19           SECTION 4. If any provisions of this act or the application thereof to  
20 any person or circumstance is held invalid, the invalidity shall not affect  
21 other provisions or applications of the act which can be given effect without  
22 the invalid provisions or application, and to this end the provisions of this  
23 act are declared to be severable.

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

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28           SECTION 6. Emergency. It is hereby found and determined by the  
29 Eightieth General Assembly of the State of Arkansas that the certain members  
30 of the Public Employees\_ Retirement System are being denied retirement  
31 service credit due to work-related injuries through no fault of their own;  
32 that this restriction is inequitable and should be changed to allow those  
33 employees to recover the service credit for that time; and that this  
34 restriction should be removed as soon as practicable without delay in order  
35 to avoid an undue hardship to retiring public employees. Therefore, in order

1 to reduce the inequities of the Public Employees\_ Retirement System, an  
2 emergency is hereby declared to exist, and this act being necessary for the  
3 immediate preservation of the public peace, health, and safety, shall be in  
4 full force and effect from and after July 1, 1995.

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*/s/Rep. Horn, et al*

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***As Engrossed: 3/21/95***

**HB 1553**

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