

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

A Bill

HOUSE BILL 1618

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE § 24-7-708 TO ELIMINATE THE EARNINGS LIMITATION UNDER THE TEACHER RETIREMENT SYSTEM FOR RETIRANTS WHO RETURN TO WORK IN COVERED POSITIONS IN COLLEGES, UNIVERSITIES, AND VOCATIONAL-TECHNICAL SCHOOLS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

"TO ELIMINATE THE EARNINGS LIMITATION UNDER THE TEACHER RETIREMENT SYSTEM FOR RETIRANTS WHO WORK FOR COLLEGES, UNIVERSITIES, AND VOCATIONAL-TECHNICAL SCHOOLS."

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

SECTION 1. Arkansas Code § 24-7-708 is amended to read as follows:

"24-7-708. Conditions subjecting annuities to limitations.

(a) If a retirant is an employee of a public employer whose employees are covered by the Teacher Retirement System, then, for each twelve-month period ending June 30, the amount of his system annuity shall be subject to the limitations equivalent to twice the limitations imposed by the social security retirement test.

(b) For each year ending June 30, the social security retirement test to be considered shall be the test in effect for the calendar year beginning the January 1 immediately preceding June 30. The retirant's earnings shall be his remuneration for such employment for the year ending June 30.

(c) The board, by appropriate rules and regulations, shall establish equivalent limitations.

1 (d) Receiving remuneration as an employee from any private employer or
2 as a member of the General Assembly shall not affect payment of an annuity.

3 (e) During any period of employment in a position covered by the
4 system, a retirant shall not accrue additional credited service nor shall he
5 contribute to the system.

6 (f) If a retirant is employed in a covered position by a state
7 college, university, or vocational-technical school, his annuity shall not be
8 subject to the limitations imposed of subsection (a) of this section."

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

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14 SECTION 3. If any provisions of this act or the application thereof to
15 any person or circumstance is held invalid, the invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provisions or application, and to this end the provisions of this
18 act are declared to be severable.

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

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23 SECTION 5. Emergency. It is hereby found and determined by the
24 Eightieth General Assembly of the State of Arkansas that the retirement
25 benefits of members of the Teacher Retirement System are subject to an
26 earnings limitation on the amount of earnings a retirant can receive in
27 salary from another public school employer; that the earnings limitation
28 deprives state colleges and universities of a valuable educational resource
29 of experienced instructors; and that the earnings limitation creates an
30 inequity for members of the Teacher Retirement System who wish to teach in
31 higher education. Therefore, in order to correct this inequity and allow for
32 its effective implementation, an emergency is hereby declared to exist, and
33 this act being necessary for the immediate preservation of the public peace,
34 health, and safety, shall be in full force and effect from and after July 1,
35 1995.

