

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Mullenix

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-10-604 TO ALLOW
9 POLITICAL SUBDIVISIONS UNDER THE LOCAL POLICE AND FIRE
10 RETIREMENT SYSTEM TO CHOOSE AN ALTERNATIVE RETIREMENT
11 ELIGIBILITY FOR THEIR EMPLOYEES WITH TWENTY-FIVE (25)
12 YEARS OF CREDITED SERVICE; AND FOR OTHER PURPOSES."

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Subtitle

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

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22 SECTION 1. Arkansas Code § 24-10-604 is amended to read as follows:

23 "24-10-604. Voluntary retirement.

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(a) Any member in covered employment may retire with an annuity
25 provided for in § 24-10-602 upon his written application to the board setting
26 forth at what time, not less than thirty (30) days nor more than ninety (90)
27 days subsequent to the execution and filing of his application, he desires to
28 be retired, but only if, at the time of his separation from employment and at
29 the time so specified for his retirement, the member shall have attained his
30 normal retirement age and have ten (10) years of credited service in force.
31 Provided, however, if an employer has made an election in accordance with
32 subsection (b) of this section, the member shall be eligible for retirement
33 if he or she shall have attained twenty-five (25) years of credited service
34 in force at any age.

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(b)(1) Each political subdivision may, by majority vote of its

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1 governing body, elect from time to time, with respect to its members retiring
2 in the future, to provide an alternative to the retirement eligibility
3 criteria by reducing the age and service requirements of subsection (a) of
4 this section. This alternative retirement eligibility shall allow for
5 unreduced age and service retirement for its members who have twenty-five
6 (25) years of credited service in force. If a political subdivision does not
7 make the election under this subsection, the minimum age and service
8 requirements of subsection (a) of this section shall be effective. The clerk
9 of or the secretary of the governing body of the political subdivision shall
10 certify, in a manner and form acceptable to the board, an election concerning
11 retirement eligibility to the board within ten (10) days of the vote. The
12 effective date of the political subdivision_s retirement eligibility election
13 is the first day of the calendar month specified by the governing body, or
14 the first day of the calendar month next following receipt by the board of
15 the certification of the retirement eligibility election, or the effective
16 date of the political subdivision becoming an employer, whichever is the
17 latest date.

18 (2) The retirement eligibility election may be changed from time
19 to time by a majority vote of the governing body, but only once in every two
20 (2) year period. If the election is to adopt the alternative retirement
21 eligibility provided for in this subsection, the alternative provisions of
22 law shall be applicable to annuities for which the employer is financially
23 responsible for all of the employer_s employees who accrue credited service
24 with the employer while this alternative eligibility is in effect. If the
25 election is to limit retirement eligibility to the minimum eligibility
26 provisions of subsection (a) of this section, the election shall be
27 applicable to employees of the employer who did not accrue service credit
28 with the employer while the alternate may have been in effect.

29 (3) If an employer should change its retirement eligibility as
30 provided in subsection (b) of this section, the employer contributions shall
31 be correspondingly changed effective the same date as the retirement
32 eligibility changes.

33 (4) The limitation on increases in an employer_s contribution
34 provided by subsection (h) of § 24-10-405 shall not apply to any contribution
35 increase resulting from an employer electing service related retirement

1 eligibility under the provisions of subsection (b) of this section.

2 (c) A member retiring under the provisions of this section shall have
3 the right to elect an option provided for in § 24-10-603."

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

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9 SECTION 3. If any provisions of this act or the application thereof to
10 any person or circumstance is held invalid, the invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provisions or application, and to this end the provisions of this
13 act are declared to be severable.

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

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