

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1249

4
5 By: Representative Faris
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE §§ 24-7-1302, 24-7-1304 AND
10 24-7-1310 TO CHANGE THE APPLICATION PROCESS, THE ELECTION
11 OF ANNUITY OPTIONS, AND THE DEATH BENEFITS OF THE TEACHER
12 DEFERRED RETIREMENT OPTION PLAN; TO DECLARE AN EMERGENCY;
13 AND FOR OTHER PURPOSES."

Subtitle

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15 "TO CHANGE THE APPLICATION PROCESS AND
16 THE ANNUITY AND DEATH BENEFIT OPTIONS
17 FOR THE TEACHER DEFERRED RETIREMENT
18 OPTION PLAN."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 24-7-1302 is amended to read as follows:

24 "24-7-1302. Application - Review.

25 (a) When a member of the Arkansas Teacher Retirement System wishes to
26 elect participation in the teacher deferred retirement option plan, the member
27 shall fill out and cause to be executed such application form or forms as have
28 been determined to be necessary for the reasonable and prudent administration
29 of the teacher deferred retirement option plan by the Board of Trustees of the
30 Arkansas Teacher Retirement System.

31 (b)(1) The ~~board shall review the~~ member's teacher deferred retirement
32 option plan application shall be reviewed within a reasonable period of time
33 and ~~shall determine a determination shall be made~~ whether or not the member
34 meets the eligibility requirements specified in this subchapter.

35 (2) The ~~board of trustees shall establish the~~ member's teacher
36 deferred retirement option plan date ~~as~~ shall be the later of:

1 (A) The first day of the second month following the ~~board's~~
 2 determination that the member is eligible for teacher deferred retirement
 3 option plan participation; or

4 (B) The date requested by the member on the application."
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6 SECTION 2. Arkansas Code § 24-7-1304 is amended to read as follows:
 7 "24-7-1304. Election of annuity options.

8 (a) A member who elects participation in the teacher deferred
 9 retirement option plan may elect one (1) of the annuity options provided in §
 10 24-7-706.

11 (b) The election ~~may will~~ be made ~~on or before the teacher deferred~~
 12 ~~retirement option plan date, but not thereafter~~ at the time the member
 13 separates from service and is granted a monthly retirement benefit, and will
 14 be deemed to apply to the member's teacher deferred retirement option plan
 15 benefit as well as to the member's monthly retirement benefit from the
 16 Arkansas Teacher Retirement System at the time it becomes payable."
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18 SECTION 3. Arkansas Code § 24-7-1310 is amended to read as follows:
 19 "24-7-1310. Death of participant.

20 In the event that a teacher deferred retirement option plan participant
 21 dies, the benefits payable from the ~~Arkansas Teacher Retirement System~~ teacher
 22 deferred retirement option plan shall be determined ~~as though the teacher~~
 23 ~~deferred retirement option plan participant had separated from service and~~
 24 ~~been found eligible for monthly benefits by the board of trustees on the day~~
 25 ~~prior to the death, with death following immediately thereafter~~ according to
 26 Arkansas Code §§ 24-7-710(b)(1), (b)(1)(A), and (b)(1)(B), provided, however,
 27 the teacher deferred retirement option participant's surviving spouse may
 28 choose to receive the teacher deferred retirement option plan benefit in a
 29 lump sum without affecting options on the monthly retirement benefit payable
 30 from the Arkansas Teacher Retirement System."
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32 SECTION 4. All provisions of this act of general and permanent nature
 33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 34 Revision Commission shall incorporate the same in the Code.
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36 SECTION 5. If any provisions of this act or the application thereof to

1 any person or circumstance is held invalid, the invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provisions or application, and to this end the provisions of this
4 act are declared to be severable.

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6 SECTION 6. All laws and parts of laws in conflict with this act are
7 hereby repealed.

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9 SECTION 7. Emergency. It is hereby found and determined by the Eighty-
10 First General Assembly of the State of Arkansas that changes are necessary for
11 the effective management and continued financial operation of the Teacher
12 Deferred Retirement Option Plan; that administrative efficiency dictates those
13 changes be made at the beginning of the state fiscal year on July 1st; and
14 that these changes are essential to the protect the financial interests of the
15 membership of the Teacher Retirement System. Therefore, in order to protect
16 the members of the System, an emergency is hereby declared to exist, and this
17 act being necessary for the immediate preservation of the public peace,
18 health, and safety, shall become effective July 1, 1997.

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