

Stricken language would be deleted from present law. Underlined language would be added to present law.

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

As Engrossed: H2/18/97 S3/26/97

A Bill

HOUSE BILL 1697

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

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9 "AN ACT TO AMEND ARKANSAS CODE 24-8-307 PERTAINING TO
10 RETIREMENT BENEFITS OF CERTAIN COUNTY AND MUNICIPAL COURT
11 JUDGES; AND FOR OTHER PURPOSES."
12

Subtitle

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14 "AN ACT PERTAINING TO RETIREMENT
15 BENEFITS OF CERTAIN COUNTY AND MUNICIPAL
16 COURT JUDGES."
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 24-8-307, concerning eligibility for benefits
21 under the Judicial Retirement System, is amended to add the following new
22 *subsections* to read as follows:

23 "(g) Upon the approval of the governing body of the municipality
24 and of the county quorum court, if county funds are used to partially pay the
25 salary of the judge of the municipal court, any judge of a municipal court, or
26 county municipal court, who shall attain the age of sixty-two (62) years and
27 who shall have served at least sixteen (16) years in office as municipal
28 judge, or at least sixteen (16) years combined service as municipal judge,
29 deputy prosecuting attorney, assistant attorney general or city attorney,
30 shall be eligible to receive retirement benefits provided by this subsection
31 (g). If the judge resigns, retires from office, or is succeeded in office by
32 another judge, then he shall receive retirement pay for and during the
33 remainder of his natural life in an amount, approved by the governing body or
34 governing bodies, equal to not less than thirty-five percent (35%) nor more
35 than fifty percent (50%) of the salary payable to him at the time of his
36 resignation, retirement, or succession in office. Any municipal judge who

1 retires under this subsection (g) shall be entitled to continue to participate
2 in and be covered by the city/county health insurance program.

3 (h)(1) Upon the approval of the governing body of the municipality and
4 of the county quorum court, if county funds are used to partially pay the
5 salary of the judge of the municipal court, any person who has sixteen (16) or
6 more years of public service, with not less than twelve (12) years as
7 municipal judge and at least four (4) years of other public service as a state
8 trooper, as deputy prosecuting attorney, and with active duty in the military
9 aggregated together for a total of sixteen (16) years or more at public
10 service, shall be eligible to receive retirement benefits provided by this
11 subchapter.

12 (2) If the judge resigns, retires from office, or is succeeded in
13 office by another judge, he shall receive retirement benefits for and during
14 the remainder of his natural life in an amount equal to one-half (1/2) of the
15 salary payable to him at the time of his resignation, retirement, or
16 succession in office.

17 (3) If incapacitating illness or disability should occur during
18 the final term for qualification under these provisions, then the judge so
19 elected shall be eligible to retire at one-half (1/2) pay as provided in this
20 section.

21 (4) In addition thereto, the surviving widow of the qualifying
22 judge shall be entitled to the benefits provided in this subchapter until her
23 death or remarriage.

24 (i)(1) Upon the approval of a majority of the city council or board of
25 directors of a city of the first or second class and the approval of the
26 quorum court of the county, if county funds are used to partially pay the
27 salary of the judge of the municipal court, any person who at age fifty (50)
28 has sixteen (16) years of service, with not less than eight (8) years as
29 municipal judge and at least six (6) years as a prosecuting attorney or deputy
30 prosecuting attorney and two (2) years with any state agency for a total of
31 sixteen (16) years, shall be eligible to receive retirement benefits provided
32 by this subchapter.

33 (2) If the judge resigns, retires from office, or is succeeded in
34 office by another judge, he shall receive retirement benefits for and during
35 the remainder of his natural life in an amount equal to one-half (1/2) of the
36 salary payable to him at the time of his resignation, retirement, or

1 succession in office.

2 (3) If incapacitating illness or disability should occur during
3 the final term of qualification under these provisions, then the judge so
4 elected shall be eligible to retire at one-half (1/2) pay as provided in this
5 section.

6 (4) In addition thereto, the surviving spouse of the qualifying
7 judge shall be entitled to the benefits provided in this subchapter until his
8 or her death or remarriage."

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10 SECTION 2. All provisions of this act of a 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 provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision 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 /s/Rep. Pollan

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