

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  
4 By: Senator Webb

# A Bill

SENATE BILL 255

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-7-602 TO ALLOW MEMBERS  
9 OF THE TEACHER RETIREMENT SYSTEM WHOSE SERVICE IS  
10 INTERRUPTED BY COMPULSORY MILITARY SERVICE TO RECEIVE  
11 SERVICE CREDIT TOWARD VESTING IN THE SYSTEM FOR THEIR  
12 ARMED SERVICE TIME; AND FOR OTHER PURPOSES."

## Subtitle

15 "TO ALLOW MEMBERS OF THE TEACHER  
16 RETIREMENT SYSTEM WHO ARE DRAFTED INTO  
17 THE MILITARY TO RECEIVE CREDIT TO VEST  
18 IN THE T.R.S. SYSTEM."

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

21  
22 SECTION 1. Arkansas Code § 24-7-602 is amended to read as follows:  
23 "24-7-602. Military service.

24 (a) In the event an active member enters the armed forces of the United  
25 States during any period of compulsory military service, the armed service  
26 actually required of him shall be credited him as service under this  
27 subchapter, but only if he returns to the system the amount, if any, he may  
28 have received therefrom at the time he entered or while in the armed service,  
29 together with regular interest from the date of withdrawal to the date of  
30 repayment. In addition, an active member who entered the armed forces of the  
31 United States during any period of compulsory military service and who returns  
32 as an employee within one (1) year upon his return from armed service shall be  
33 eligible to receive service credit for the time of his armed service, even if  
34 he does not complete a total of ten (10) years of credited service in  
35 Arkansas.

36 (b) During the period of armed service and until his return as an

1 employee, his contributions to the system shall be suspended, and any balance  
2 remaining to his credit in the members' deposit account shall be accumulated  
3 at regular interest.

4 (c) A person who entered the armed forces and who was not an active  
5 member at the time of entry shall have the armed service actually required of  
6 him credited as service under this subchapter if he satisfies all of the  
7 following conditions:

8 (1) He completes ten (10) years of credited service for service  
9 in Arkansas; and

10 (2) The armed service is not credited as service under any other  
11 retirement plan except social security. Receipt of a disability pension from  
12 the federal military system shall not be considered as having service credit  
13 with another retirement plan.

14 (d) If mandated by federal law, armed service not otherwise creditable  
15 under the provisions of this section shall be creditable, provided the member  
16 pays both the employee and employer contributions required by the system, plus  
17 regular interest from the date of discharge from active duty until paid in  
18 full.

19 (e) In no event shall a person be credited with a total of more than  
20 five (5) years of armed service.

21 (f) In any case of doubt as to the period of the armed service to be  
22 credited a member, the board shall have the power to determine the period."

23

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

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28 SECTION 3. If any provisions of this act or the application thereof to  
29 any person or circumstance is held invalid, the invalidity shall not affect  
30 other provisions or applications of the act which can be given effect without  
31 the invalid provisions or application, and to this end the provisions of this  
32 act are declared to be severable.

33

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