

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: S3/10/97 S3/11/97 S3/25/97

## A Bill

SENATE BILL 373

4  
5 By: Senator Everett  
6  
7

### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 24-3-102 TO ALLOW CERTAIN  
10 ELECTED PUBLIC OFFICIALS UNDER THE PUBLIC EMPLOYEES'  
11 RETIREMENT SYSTEM (PERS) TO RETIRE WITH FORTY (40) OR MORE  
12 YEARS OF CREDITED SERVICE AND WITH TEN (10) YEARS OF  
13 ACTUAL SERVICE AS AN ELECTED MAYOR AT AGE FIFTY-TWO (52)  
14 YEARS; AND FOR OTHER PURPOSES."

### Subtitle

15  
16  
17 "TO ALLOW CERTAIN ELECTED PUBLIC  
18 OFFICIALS UNDER THE PERS TO RETIRE AT  
19 AGE 52 WITH FORTY (40) OR MORE YEARS OF  
20 CREDITED SERVICE."

21  
22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. Subdivision (9) of Arkansas Code § 24-3-102, regarding the  
26 definitions for the Public Employees' Retirement System, is amended to read as  
27 follows:

28 "(9) 'Normal retirement age' means, for a member, the youngest of the  
29 following ages:

30 (A) Age sixty-five (65) years;

31 (B) If the provisions of § 24-3-301(b) are used to determine any  
32 portion of total credited service, then the age upon completion of thirty-five  
33 (35) years of credited service, but in no event to an age younger than fifty-  
34 five (55) years;

35 (C) For a member with credited service for employment as a public  
36 safety employee or as a sheriff, age sixty-five (65) years reduced by one (1)

1 month for each two (2) months of such credited service, but in no event to an age younger than fifty-five (55) years, except in the case of members of the State Police Retirement System and sheriffs who have a minimum of ten (10) years of actual service as a sheriff or who have eight (8) years of actual service as a sheriff and a minimum of two (2) years of service in another state-supported retirement system, for whom the minimum retirement age shall be fifty-two (52) years;

(D) The age upon completion of thirty (30) years of credited service, if the provisions of § 24-3-301(b) are not used to determine any portion of such credited service;

(E) For members of the General Assembly with twelve (12) years of actual service, ten (10) of which must be as a member of the General Assembly, at age fifty-five (55). Members of the General Assembly who were either serving in the General Assembly on July 1, 1979, or held an elected office on July 1, 1979, shall be eligible to retire with seventeen and one half (17 1/2) years of actual service regardless of age;

(F) An elected state constitutional officer shall be eligible to retire with thirty (30) years of credited service at age fifty-five (55);

(G) Notwithstanding subdivision (C), in the case of a deputy sheriff who has a minimum of twenty-five (25) years of actual service as a deputy sheriff or, notwithstanding subdivision (D), in the case of an elected mayor of a city of the first class who has a minimum of forty (40) or more years of credited service and eighteen (18) years of actual service as mayor, the minimum retirement age shall be fifty-two (52) years;"

25

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

29

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

35

SECTION 4. All laws and parts of laws in conflict with this act are

36

1 hereby repealed.

2

3

*/s/ Everett*

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35