

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Edwards

A Bill

SENATE BILL 430

For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF CHAPTERS 3 AND 4 OF
10 TITLE 24 OF THE ARKANSAS CODE OF 1987, ANNOTATED, TO
11 INCLUDE ELECTED OFFICIALS OF THE COUNTY QUORUM COURTS
12 WITHIN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR
13 OTHER PURPOSES."

Subtitle

15 "TO INCLUDE ELECTED OFFICIALS OF THE
16 COUNTY QUORUM COURTS WITHIN THE PUBLIC
17 EMPLOYEES' RETIREMENT SYSTEM."
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19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Subdivision (7) of Arkansas Code § 24-3-102, regarding the
23 definitions for the Public Employees' Retirement System, is amended to read as
24 follows:

25 "(7) Pay means the recurring remuneration paid an employee for
26 personal services rendered by the employee in a position covered by a
27 retirement plan for Arkansas public employees and shall include any recurring
28 remuneration paid to county quorum court officials for their attendance of
29 meetings as prescribed by § 14-14-1205. Should a portion of an employee's
30 remuneration be paid him other than in cash, then the cash value of such
31 remuneration shall be established by the plan in an amount not to exceed the
32 amount the employee is required to report for federal income tax purposes. In
33 determining pay, no consideration shall be given to special single-sum
34 payments paid by an employer, employer contributions to any employee benefit
35 plan, or any other unusual or nonrecurring remuneration;"

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2 SECTION 2. Arkansas Code § 24-3-301 is amended to read as follows:

3 "24-3-301. Credited service generally. [Effective July 1, 1997.]

4 (a) The governing body of each named plan shall establish the amounts
5 of service to be credited its members subject to the provisions of subsection
6 (b) of this section.

7 (b)(1) Employment as a public safety member shall be credited at one
8 and one-half (1 1/2) times the regular rate for crediting service, except that
9 at least five (5) years of actual service shall be required to meet the
10 retirement eligibility requirements of §§ 24-3-201(a) and (b), 24-3-206(a),
11 24-3-207(a), and 24-3-208, and at least five (5) years of actual service shall
12 be required to meet the eligibility requirements of § 24-3-209.

13 (2) Employment as Governor shall be credited as service at three
14 (3) times the regular rate for credited service, except that at least four (4)
15 years of actual service shall be required to meet the retirement eligibility
16 requirements of §§ 24-3-201(a) and (b), 24-3-206(a), 24-3-207(a), and
17 24-3-208, and at least five (5) years of actual service shall be required to
18 meet the eligibility requirements of § 24-3-209.

19 (3) Employment as an elected state constitutional officer shall
20 be credited at two and one-half (2 1/2) times the regular rate for crediting
21 service, except that at least five (5) years of actual service shall be
22 required to meet the retirement eligibility requirements of §§ 24-3-201(a) and
23 (b), 24-3-206(a), 24-3-207(a), and 24-3-208, and at least five (5) years of
24 actual service shall be required to meet the eligibility requirements of
25 § 24-3-209.

26 (4)(A) Employment as a member of the General Assembly shall be
27 credited at the regular rate for crediting service, except that at least ten
28 (10) years of actual service shall be required to meet the retirement
29 eligibility requirements of §§ 24-3-201(a) and (b), 24-3-206(a), 24-3-207(a),
30 and 24-3-208, and at least five (5) years of actual service shall be required
31 to meet the eligibility requirements of § 24-3-209.

32 (B) A member of the General Assembly who at any time has
33 served at least six (6) months during a two-year term in the General Assembly
34 shall be credited with no more than one (1) year's actual service.

35 (5) Employment as a member of a county quorum court shall be
36 credited at the regular rate for crediting service and at least five (5) years

1 of actual service shall be required to meet the retirement eligibility
 2 requirements of §§ 24-3-201(a) and (b), 24-3-206(a), 24-3-207(a), and
 3 24-3-208, and at least five (5) years of actual service shall be required to
 4 meet the eligibility requirements of § 24-3-209.

5 ~~—————(5)~~(6) Employment as an elected public official other than
 6 Governor or an elected state constitutional officer or a member of the General
 7 Assembly or county quorum court shall be credited as service at two (2) times
 8 the regular rate for crediting service, except that at least five (5) years of
 9 actual service shall be required to meet the retirement eligibility
 10 requirements of §§ 24-3-201(a) and (b), 24-3-206(a), 24-3-207(a), and
 11 24-3-208, and at least five (5) years of actual service shall be required to
 12 meet the eligibility requirements of §§ 24-3-209.

13 (c) As used in this section, elected state constitutional officer
 14 means the Lieutenant Governor, Attorney General, Secretary of State, Auditor
 15 of State, Treasurer of State, and Commissioner of State Lands."
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17 SECTION 3. Subdivision (10) of Arkansas Code § 24-4-101, regarding
 18 definitions for the Public Employees' Retirement System, is amended to read as
 19 follows:

20 "(10)(A) County employees means all officers and employees whose
 21 compensations or per diem compensations are payable, either directly or
 22 indirectly, by county participating public employers and includes employees of
 23 the Association of Arkansas Counties, ~~and~~ official court reporters and
 24 stenographers of the circuit courts and chancery courts, and the elected
 25 officials of the county quorum court.

26 (B) In any case of doubt as to who is a county employee within
 27 the meaning of this act, the board shall have the final power to decide the
 28 question;"
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30 SECTION 4. No benefit enhancement provided for by this act shall be
 31 implemented if it would cause the publicly supported retirement systems
 32 unfunded actuarial accrued liabilities to exceed a thirty (30) year
 33 amortization. No benefit enhancement provided for by this act shall be
 34 implemented by any publicly supported system which has unfunded actuarial
 35 accrued liabilities being amortized over a period exceeding thirty (30) years
 36 until the unfunded actuarial accrued liability is reduced to a level less than

1 the standards prescribed by Arkansas Code §§ 24-1-101, et seq.

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

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7 SECTION 6. If any provisions of this act or the application thereof to
8 any person or circumstance is held invalid, the invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provisions or application, and to this end the provisions of this
11 act are declared to be severable.

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

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