

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1188

4
5 By: Representative Faris
6 By: Senator Hopkins

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE TITLE 24, CHAPTER 7,
11 SUBCHAPTER 2, REGARDING THE GENERAL PROVISIONS OF THE
12 TEACHER RETIREMENT SYSTEM, TO ESTABLISH A PROVISION
13 FOR THE SUSPENSION OF BENEFIT PAYMENTS TO RETIRANTS
14 UPON REQUEST; TO DECLARE AN EMERGENCY; AND FOR OTHER
15 PURPOSES. "

Subtitle

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18 "TO ALLOW RETIRANTS OF THE TEACHER
19 RETIREMENT SYSTEM TO ELECT TO SUSPEND
20 BENEFITS. "

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

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25 SECTION 1. Arkansas Code Title 24, Chapter 7, Subchapter 2, regarding
26 the general provisions of the Teacher Retirement System, is amended by adding
27 the following section to be appropriately numbered by the Arkansas Code
28 Revision Commission:

29 "Suspension of benefit payments upon request.

30 (a) Notwithstanding any other provision of the system, a person
31 entitled to receive an annuity may request the system in writing, for personal
32 reasons and without disclosure thereof, to suspend the payment of all the
33 benefit otherwise payable to him by the system.

34 (b) Upon receipt of the request, the system shall authorize the
35 suspension, and the person shall be deemed to have forfeited all rights to the
36 benefit so suspended but shall have the right to have the full benefit

1 otherwise payable reinstated as to future monthly payment upon written notice
 2 to the system to revoke the prior request for suspension under this section."

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 4 SECTION 2. No benefit enhancement provided for by this act shall be
 5 implemented if it would cause the publicly supported retirement system's
 6 unfunded actuarial accrued liabilities to exceed a thirty (30) year
 7 amortization. No benefit enhancement provided for by this act shall be
 8 implemented by any publicly supported system which has unfunded actuarial
 9 accrued liabilities being amortized over a period exceeding thirty (30) years
 10 until the unfunded actuarial accrued liability is reduced to a level less than
 11 the standards prescribed by Arkansas Code, Title 24.

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

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 17 SECTION 4. If any provision of this act or the application thereof to
 18 any person or circumstance is held invalid, such invalidity shall not affect
 19 other provisions or applications of the act which can be given effect without
 20 the invalid provision or application, and to this end the provisions of this
 21 act are declared to be severable.

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 23 SECTION 5. All laws and parts of laws in conflict with this act are
 24 hereby repealed.

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 26 SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the
 27 Eighty-second General Assembly that certain Teacher Retirement System
 28 retirants, for personal reasons which they do not wish disclosed, may want to
 29 suspend their benefits, that providing retirants with this option leaves the
 30 system open to question about liability for these suspended benefits and the
 31 law needs clarification in this situation, and that the most effective time to
 32 make changes to the retirement system is at the beginning of the state's
 33 fiscal year and therefore this act should take effect immediately at that
 34 time. Therefore, an emergency is declared to exist and this act being
 35 immediately necessary for the preservation of the public peace, health and
 36 safety shall become effective on July 1, 1999.