

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

A Bill

HOUSE BILL 1194

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

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED SECTION 24-5-
10 117 TO PROVIDE THAT AN EMPLOYEE WHO WITHDRAWS FROM
11 SERVICE AFTER BECOMING A MEMBER OF THE ARKANSAS STATE
12 HIGHWAY EMPLOYEES' RETIREMENT SYSTEM AND WHOSE
13 CONTRIBUTION HAS ACCUMULATED TO A TOTAL OF LESS THAN
14 TWO HUNDRED FIFTY DOLLARS (\$250) SHALL FORFEIT SUCH
15 CONTRIBUTION TO THAT RETIREMENT SYSTEM FUND UNLESS
16 WITHDRAWN BY THAT FORMER EMPLOYEE FROM THE FUND WITHIN
17 THE FIRST THREE (3) YEARS FOLLOWING THE FORMER
18 EMPLOYEE'S TERMINATION OF SERVICE WITH THE ARKANSAS
19 STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; AND FOR
20 OTHER PURPOSES. "

Subtitle

21
22 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED
23 SECTION 24-5-117 REGARDING THE ARKANSAS
24 STATE HIGHWAY EMPLOYEES' RETIREMENT
25 SYSTEM. "
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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31 SECTION 1. Arkansas Code 24-5-117 is amended to read as follows:

32 "24-5-117. Benefits - Withdrawal from service.

33 (a)(1) In the case of withdrawal from service within less than one (1)
34 year after having become a member of the Arkansas State Highway Employees'
35 Retirement System, the Board of Trustees of the Arkansas State Highway
36 Employees' Retirement System, upon request, shall pay to the member all of his

1 accumulated contributions without interest.

2 (2)(A) If withdrawal occurs after one (1) year of membership in
 3 the system, the board, upon request, shall pay to the member all of his
 4 accumulated contributions plus interest as determined by the board.

5 (B) The member so reimbursed shall have no legal claim on
 6 any contribution made by the state with a view to his retirement.

7 (3) Payment to a member under the conditions set forth in this
 8 subsection shall be made as provided by the board.

9 (4) A member's interest in the system shall be exempt from
 10 attachment and execution.

11 (b)(1) In the case of an employee's withdrawal from service after
 12 becoming a member of the system and when the employee's contribution has
 13 accumulated to a total of less than ~~twenty-five dollars (\$25.00)~~ two hundred
 14 fifty dollars (\$250), then the employee's accumulated contribution shall
 15 become forfeit to the Arkansas State Highway Employees' Retirement System Fund
 16 unless withdrawn by the former employee from the fund within the first three
 17 (3) years following the employee's termination of service with the Arkansas
 18 State Highway and Transportation Department-, provided that such employee is
 19 not a member of a reciprocal system.

20 (2) In the event of forfeiture to the fund, the former employee
 21 shall have no further claim upon the system."

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

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

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