

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H1/29/99

A Bill

HOUSE BILL 1306

5 By: Representative Wilkinson
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7

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 24-10-501 TO PROVIDE
10 THAT MEMBERS OF THE LOCAL POLICE AND FIRE RETIREMENT
11 SYSTEM (LOPFI) MAY EARN SERVICE CREDIT WITH MORE THAN
12 ONE *COVERED* EMPLOYER SIMULTANEOUSLY; AND FOR OTHER
13 PURPOSES. "
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Subtitle

15 "TO PROVIDE THAT LOPFI MEMBERS MAY EARN
16 SERVICE CREDIT WITH MORE THAN ONE *COVERED*
17 EMPLOYER SIMULTANEOUSLY. "
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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. Arkansas Code § 24-10-501 is amended to read as follows:

23 "24-10-501. Paid and volunteer service.

24 (a)(1) The board shall fix and determine by rules and regulations the
25 number of years and months of paid service to be credited each member for his
26 employment as an employee.

27 (2) In no case shall one (1) month of paid service credit be
28 credited for any one (1) calendar month after the operative date for which an
29 employee's pay is less than the minimum amount specified in this chapter, nor
30 shall more than one (1) year of service be credited any member for all covered
31 employment rendered by him in any one (1) calendar year, unless the service
32 credit is volunteer service credited under another employer as provided for in
33 subsection (b) of this section.

34 (b)(1) Each employer shall regularly report to the board the calendar
35 months of covered employment by each of its members which the employer wishes
36 to be credited to the member as volunteer service.

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1 (2) The board shall credit the member with the volunteer service;
2 but in no case shall one (1) month of volunteer service be credited for any
3 one (1) calendar month for which a month of paid service can be granted by the
4 same employer, nor shall more than one (1) year of service be credited for all
5 covered employment rendered by him in any one (1) calendar year with the same
6 employer.

7 (3) Beginning January 1, 1999, the board may credit a member both
8 with volunteer service and with paid service when the member earns the service
9 credit simultaneously under different employers, except that he or she shall
10 be limited to earning volunteer service with only one covered employer at a
11 time.

12 (c)(1) Not later than one (1) year from and after the date an employer
13 covers its employees, and before the retirement of a member included in the
14 employees so covered, the employer shall certify to the board the periods of
15 prior employment of each of its members to be considered for credit as paid
16 service and for credit as volunteer service.

17 (2) No prior employment shall be so certified by an employer for
18 any member unless he was employed by the employer within the one-year period
19 immediately preceding the date an employer covers its employees and unless he
20 is continuously employed by the employer:

21 (A) From and after that date for one (1) year;

22 (B) Until his death; or

23 (C) Until his total and permanent disability,

24 whichever is earliest.

25 (d) Anything contained herein to the contrary notwithstanding, not
26 later than June 30, 1995, an employer with employees who were not accruing
27 service credit because of the age-related limitation on credited service in
28 subsections (a) and (b) of this section in existence prior to July 28, 1995,
29 and who are or would accrue service credit without such limitations on
30 credited service, shall certify to the board the period or periods of previous
31 employment of each such employee to be considered for credited service, and
32 such previous employment shall be considered for credited service, provided
33 the employee pays to the system by December 31, 1995, the total member
34 contributions he would have contributed to the system had such age-related
35 limitation not been in effect."

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

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

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

13 /s/ Wilkinson
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