

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

As Engrossed: H4/2/99
A Bill

HOUSE BILL 1392

4
5 By: Representative Laverty
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8 **For An Act To Be Entitled**

9 "AN ACT TO AMEND ARKANSAS CODE 24-3-209 AND 24-4-608
10 PERTAINING TO DEATH IN SERVICE BENEFITS IN THE
11 ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR
12 OTHER PURPOSES. "

13
14 **Subtitle**

15 "AN ACT PERTAINING TO DEATH IN SERVICE
16 BENEFITS IN THE ARKANSAS 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. Arkansas Code Section 24-3-209 (b)(1)(A) is amended to read
23 as follows:

24 "(A) In the event that a member dies and is not being paid on that date
25 by his employer, due solely to illness incurred before he left the payroll and
26 the death occurs within one (1) year of the last payroll, or if the member's
27 death occurs on or after July 1, 1998 and long term disability provided by the
28 employer was being paid at the time of death and the date of death is within
29 eighteen (18) month of the last payroll, then the member shall be considered,
30 for purposes of this section, to have died as an active member if all other
31 necessary provisions of this section are met."
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33 SECTION 2. Arkansas Code Section 24-4-608 (b)(1)(A) is amended to read
34 as follows:

35 "(A) In the event that a member dies and is not being paid on that date
36 by his employer, due solely to illness incurred before he left the payroll and

1 the death occurs within one (1) year of the last payroll, or if the member's
2 death occurs on or after July 1, 1998 and long term disability provided by the
3 employer was being paid at the time of death and the date of death is within
4 eighteen (18) month of the last payroll, then the member shall be considered,
5 for purposes of this section, to have died as an active member if all other
6 necessary provisions of this section are met."

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8 SECTION 3. No benefit enhancement provided for by this act shall be
9 implemented if it would cause the publicly supported retirement system's
10 unfunded actuarial accrued liabilities to exceed a thirty (30) year
11 amortization. No benefit enhancement provided for by this act shall be
12 implemented by any publicly supported system which has unfunded actuarial
13 accrued liabilities being amortized over a period exceeding thirty (30) years
14 until the unfunded actuarial accrued liability is reduced to a level less than
15 the standards prescribed by Arkansas Code, Title 24.

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

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21 SECTION 5. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 6. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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30 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
31 Eighty-second General Assembly that certain provisions of the law governing
32 the Public Employees' Retirement System need to be amended concerning
33 eligibility for death benefits and that the effective administration of state
34 government makes it necessary for these changes to begin at the start of the
35 state's fiscal year. Therefore, an emergency is declared to exist and this
36 act being immediately necessary for the preservation of the public peace,

1 *health and safety shall become effective on July 1, 1999.*

2 */s/ Lavery*

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