

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: H3/1/99  
**A Bill**

HOUSE BILL 1433

5 By: Representative Minton  
6  
7

8 **For An Act To Be Entitled**

9 "AN ACT TO AMEND ARKANSAS CODE 24-3-301 TO CHANGE THE  
10 RATE OF EARNING SERVICE CREDIT FOR ELECTED OFFICIALS  
11 UNDER THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)  
12 TO THE SAME RATE AS REGULAR PUBLIC EMPLOYEES; TO  
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."  
14

15 **Subtitle**

16 "TO CHANGE THE RATE OF EARNING SERVICE  
17 CREDIT FOR ELECTED OFFICIALS UNDER THE  
18 PERS TO THE SAME RATE AS REGULAR PUBLIC  
19 EMPLOYEES."  
20  
21

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

24 *SECTION 1. Arkansas Code 24-3-301 is amended to read as follows:*

25 *"24-3-301. Credited service generally.*

26 *(a) The governing body of each named plan shall establish the amounts*  
27 *of service to be credited its members subject to the provisions of subsection*  
28 *(b) of this section.*

29 *(b)(1) Employment service by a person who was employed prior to July 1,*  
30 *1997 as a public safety member shall be credited at one and one-half (1½)*  
31 *times the regular rate for crediting service and employment service by persons*  
32 *employed on and after July 1, 1997 shall be credited at the regular rate for*  
33 *crediting service, except that at least five (5) years of actual service shall*  
34 *be required to meet the retirement eligibility requirements of §§ 24-3-201(a)*  
35 *and (b), 24-3-206(a), 24-3-207(a), and 24-3-208, and at least five (5) years*  
36 *of actual service shall be required to meet the eligibility requirements of*

1 § 24-3-209.

2 (2) Employment as Governor by a person first elected to a public  
3 office covered by the Arkansas Public Employees' Retirement System prior to  
4 July 1, 1999, shall be credited as service at three (3) times the regular rate  
5 for credited service and employment as Governor by a person if they are first  
6 elected to a public office covered by Arkansas Public Employees' Retirement  
7 System on and after July 1, 1999, shall be credited at the regular rate for  
8 crediting service, except that at least four (4) years of actual service shall  
9 be required to meet the retirement eligibility requirements of §§ 24-3-201(a)  
10 and (b), 24-3-206(a), 24-3-207(a), and 24-3-208, and at least five (5) years  
11 of actual service shall be required to meet the eligibility requirements of §  
12 24-3-209.

13 (3) Employment as an elected state constitutional officer by a  
14 person first elected to a public office covered by Arkansas Public Employees'  
15 Retirement System prior to July 1, 1999, shall be credited at two and one-half  
16 (2½) times the regular rate for crediting service and employment as an elected  
17 constitutional officer by a person if they are first elected to a public  
18 office covered by Arkansas Public Employees' Retirement System on and after  
19 July 1, 1999, shall be credited at the regular rate for crediting service,  
20 except that at least five (5) years of actual service shall be required to  
21 meet the retirement eligibility requirements of §§ 24-3-201(a) and (b), 24-3-  
22 206(a), 24-3-207(a), and 24-3-208, and at least five (5) years of actual  
23 service shall be required to meet the eligibility requirements of § 24-3-209.

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

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

33 (5) Employment as an elected public official other than Governor  
34 or an elected state constitutional officer or a member of the General Assembly  
35 by a person first elected to a public office covered by Arkansas Public  
36 Employees' Retirement System prior to July 1, 1999, shall be credited as

1 service at two (2) times the regular rate for crediting service and employment  
2 as an elected public official other than the Governor, elected constitutional  
3 officer, or a member of the General Assembly by a person if they are first  
4 elected to a public office covered by Arkansas Public Employees' Retirement  
5 System on and after July 1, 1999, shall be credited at the regular rate for  
6 crediting service, except that at least five (5) years of actual service shall  
7 be required to meet the retirement eligibility requirements of § 24-3-201(a)  
8 and (b), 24-3-206(a), 24-3-207(a), and 24-3-208, and at least five (5) years  
9 of actual service shall be required to meet the eligibility requirements of §  
10 24-3-209.

11 (c) *As used in this section, 'elected state constitutional officer'*  
12 *means the Lieutenant Governor, Attorney General, Secretary of State, Auditor*  
13 *of State, Treasurer of State, and Commissioner of State Lands."*

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15 SECTION 2. No benefit enhancement provided for by this act shall be  
16 implemented if it would cause the publicly supported retirement system's  
17 unfunded actuarial accrued liabilities to exceed a thirty (30) year  
18 amortization. No benefit enhancement provided for by this act shall be  
19 implemented by any publicly supported system which has unfunded actuarial  
20 accrued liabilities being amortized over a period exceeding thirty (30) years  
21 until the unfunded actuarial accrued liability is reduced to a level less than  
22 the standards prescribed by Arkansas Code, Title 24.

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

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28 SECTION 4. If any provision of this act or the application thereof to  
29 any person or circumstance is held invalid, such invalidity shall not affect  
30 other provisions or applications of the act which can be given effect without  
31 the invalid provision or application, and to this end the provisions of this  
32 act are declared to be severable.

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

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