

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 *As Engrossed: S2/3/99 S3/2/99 S3/10/99 S3/19/99*

2 82nd General Assembly

# A Bill

3 Regular Session, 1999

SENATE BILL 127

4

5 By: Senator Hopkins

6

7

8

## For An Act To Be Entitled

9 "AN ACT CONCERNING MINIMUM DISABILITY BENEFITS AND  
10 *MINIMUM SURVIVOR BENEFITS AND THE COST OF LIVING*  
11 *ADJUSTMENT UNDER A JUDICIAL RETIREMENT SYSTEM PLAN*  
12 *BASED ONLY ON ACTUAL SERVICE; TO AMEND ARKANSAS CODE*  
13 *24-8-709, AS ADDED BY ACT 399 OF 1999, TO CLARIFY THE*  
14 *APPLICATION OF RECIPROCAL SERVICE CREDIT TO THE TIER*  
15 *TWO ACTUAL JUDICIAL SERVICE BENEFIT PLAN FOR THE*  
16 *ARKANSAS JUDICIAL RETIREMENT SYSTEM; AND FOR OTHER*  
17 *PURPOSES. "*

18

19

## Subtitle

20 "AN ACT CONCERNING MINIMUM DISABILITY AND  
21 *SURVIVOR BENEFITS, COST OF LIVING*  
22 *ADJUSTMENT, AND RECIPROCAL CREDIT UNDER*  
23 *A JUDICIAL RETIREMENT SYSTEM PLAN BASED*  
24 *ONLY ON ACTUAL SERVICE. "*

25

26

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

28

29 SECTION 1. The following minimum benefits shall apply to any plan,  
30 based only on actual service, under the Judicial Retirement System:

31 (1) The annual minimum disability benefit shall be equal to twenty-four  
32 percent (24%) of the annual salary of the judge or justice.

33 (2) The annual minimum survivors benefit shall be an amount equal to  
34 twelve percent (12%) of the annual salary of the judge or justice.

35

36 SECTION 2. Notwithstanding Arkansas Code 24-8-715 as enacted by Act 399

1 of 1999, each July 1, the Arkansas Judicial Retirement System shall  
2 redetermine the amount of each monthly benefit which has been paid by the  
3 system under the Tier Two Actual Judicial service benefit plan for at least  
4 twelve (12) full calendar months. The redetermined amount shall be payable  
5 for the following twelve (12) calendar months. The redetermined amount shall  
6 be the amount of the benefit payable as of the immediately preceding July 1,  
7 increased by three percent (3%).

8  
9 SECTION 3. Unless the context requires otherwise, any listing of judges  
10 or justices in Arkansas Code Title 24, Chapter 8, Subchapter 2 and Subchapter  
11 7 shall include all judges and justices in the Judicial Retirement System.

12  
13 SECTION 4. Arkansas Code 24-8-709, added to the Arkansas Code by Act  
14 399 of 1999, is amended to read as follows:

15 "24-8-709. Actual Service Requirement.

16 Benefits and eligibility for benefits under this subchapter shall be  
17 based on actual service in the Arkansas Judicial Retirement System. Laws  
18 allowing the purchase of credited service or providing free credited service  
19 shall not apply to this subchapter. However, the provisions of Title 24,  
20 Chapter 2, Subchapter 4 may be used to meet the service requirements of this  
21 subchapter."

22  
23 SECTION 5. No benefit enhancement provided for by this act shall be  
24 implemented if it would cause the publicly supported retirement system's  
25 unfunded actuarial accrued liabilities to exceed a thirty (30) year  
26 amortization. No benefit enhancement provided for by this act shall be  
27 implemented by any publicly supported system which has unfunded actuarial  
28 accrued liabilities being amortized over a period exceeding thirty (30) years  
29 until the unfunded actuarial accrued liability is reduced to a level less than  
30 the standards prescribed by Arkansas Code, Title 24.

31  
32 SECTION 6. All provisions of this act of a general and permanent nature  
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
34 Revision Commission shall incorporate the same in the Code.

35  
36 SECTION 7. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

5

6 SECTION 8. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

8

*/s/ Hopkins*

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36