

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: S2/3/99  
**A Bill**

SENATE BILL 90

5 By: Senator Hopkins  
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### 8 **For An Act To Be Entitled**

9 "AN ACT TO AMEND ARKANSAS CODE SECTION 24-5-125 TO  
10 INCREASE THE BENEFITS OF RETIREES AND BENEFICIARIES OF  
11 THE ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT  
12 SYSTEM; TO REPEAL SUBSECTION (c) OF ARKANSAS CODE  
13 SECTION 24-5-125; TO DECLARE AN EMERGENCY; AND FOR  
14 OTHER PURPOSES. "

### 15 **Subtitle**

16 "TO INCREASE THE BENEFITS OF RETIREES AND  
17 BENEFICIARIES OF THE ARKANSAS STATE  
18 HIGHWAY EMPLOYEES' RETIREMENT SYSTEM. "  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code 24-5-125 is hereby amended to read as follows:

25 " 24-5-125. Eligibility to receive increase in benefits.

26 (a) In order to help offset the costs of health insurance and health  
27 care, Any any individual who is receiving benefits from the Arkansas State  
28 Highway Employees' Retirement System prior to, on, or subsequent to, July 1,  
29 1991 1999, shall have added to his or her annuity as determined pursuant to  
30 § 24-5-115 no less than the sum of fifty one hundred twenty-five dollars  
31 (~~\$50.00~~) (~~\$125~~) per month, provided, the board may elect and is granted the  
32 authority to increase that additional monthly sum to all such individuals in  
33 an amount determined by the board as necessary to help offset the ever  
34 escalating costs of health insurance and health care, provided; further, such  
35 additional monthly sum shall not exceed two hundred-fifty dollars (\$250) per  
36 month. No benefit enhancement provided by this section shall be implemented

1 if it would cause the publicly supported retirement system's unfunded  
 2 actuarial accrued liabilities to exceed a thirty-year amortization.

3 (b)(1) *If an individual is also receiving benefits as a result of*  
 4 *credited service under one (1) or more of the other reciprocal systems, as*  
 5 *such systems as enumerated in § 24-2-401, that individual shall receive a pro*  
 6 *rata portion of the amount set forth in subsection (a) of this section from*  
 7 *the system.*

8 (2) *That pro rata portion shall be determined by dividing the years*  
 9 *of creditable service with the Arkansas State Highway and Transportation*  
 10 *Department by the member's or deceased member's total years of creditable*  
 11 *service with all reciprocal systems, provided the individual receiving such*  
 12 *benefits shall receive the additional amounts set out in subsection (a) of*  
 13 *this section in total from such systems if the member or deceased member was*  
 14 *employed at least five (5) years in each of the reciprocal systems.*

15 ~~\_\_\_\_\_ (c) The increase in benefits as provided in this section shall be added~~  
 16 ~~to the base annuity for the purpose of computing the annual postretirement~~  
 17 ~~increase as provided in § 24-5-119(a) for the benefit redetermination for the~~  
 18 ~~year beginning July 1, 1991, and ending June 30, 1992, and for all years~~  
 19 ~~thereafter."~~

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

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

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 34 SECTION 4. If any provision of this act or the application thereof to  
 35 any person or circumstance is held invalid, such invalidity shall not affect  
 36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this  
2 act are declared to be severable.

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

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7 SECTION 6. EMERGENCY. It is hereby found and determined by the General  
8 Assembly of the State of Arkansas that, due to the ever escalating costs of  
9 health insurance and health care, benefits provided under the Arkansas State  
10 Highway Employees' Retirement System are inadequate and that an increase  
11 should be provided as soon as practicable in order to avoid an undue hardship.  
12 Therefore, an emergency is hereby declared to exist and this act being  
13 necessary for the preservation of the public peace, health, and safety, shall  
14 be in full force and effect on and after July 1, 1999.

15 /s/ Hopkins  
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