

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S2/6/01 S3/27/01

A Bill

SENATE BILL 215

5 By: Senator Bisbee
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 24-12-123
10 CONCERNING THE RETIREMENT BENEFITS FOR MAYORS OF
11 CITIES OF THE FIRST CLASS; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND THE LAW CONCERNING RETIREMENT
15 BENEFITS FOR MAYORS OF CITIES OF THE
16 FIRST CLASS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 24-12-123(a), concerning the eligibility
23 requirements for a retirement benefit for mayors of cities of the first class,
24 is amended to read as follows:

25 (a)(1) In all cities of the first class in this state, any person who
26 shall serve as mayor of the city for a period of not less than ten (10) years,
27 upon reaching age sixty (60) years, or any person who shall serve as mayor of
28 the city for a period of not less than twenty (20) years, without regard to
29 age, shall be entitled to retire at an annual retirement benefit during the
30 remainder of his natural life, payable at the rate of one-half (1/2) of the
31 salary payable to the mayor at the time of his retirement.

32 (2) The retirement payments shall be paid monthly and shall be
33 paid from the city general fund.

34 (3) However, mayors who have served as an elected official or
35 employee of that city prior to or after their service as mayor shall count
36 their service as an elected official or employee of that city ~~at the rate of~~

1 ~~one (1) year for mayor's retirement for each two (2) years served as an~~
 2 ~~elected official or an employee of that city with a maximum of an additional~~
 3 ~~two (2) years' credit towards mayor's retirement.~~ towards the mayor's
 4 retirement as follows:

5 (A)(i) At the rate of one (1) year of a mayor's retirement
 6 for each two (2) years served as an elected official or an employee of that
 7 city up to a maximum of an additional two (2) years' credit towards a mayor's
 8 retirement benefit; or

9 (ii) If authorized by a city ordinance, at the rate of
 10 one (1) year of a mayor's retirement benefit for each two (2) years served as
 11 an elected official or an employee of that city up to a maximum of three (3)
 12 additional years' credit towards a mayor's retirement benefit if the person
 13 has not less than twenty (20) years of mayor's credit and is at least fifty-
 14 two (52) years of age; or

15 (iii) If authorized by a city ordinance, at the rate
 16 of one (1) year of a mayor's retirement benefit for each two (2) years served
 17 as an elected official or an employee of that city up to a maximum of four (4)
 18 additional years' credit towards a mayor's retirement benefit if the person
 19 has not less than twenty (20) years of mayor's credit and is at least fifty-
 20 four (54) years of age; and

21 (B) Service as an elected official or as an employee of the
 22 city which is also covered under another retirement plan offered by the city,
 23 or which is covered by another benefit provided for by law, shall not be
 24 applied towards the mayor's retirement benefits provided for under this
 25 section.

26 (4) The minimum retirement benefits shall be two hundred fifty
 27 dollars (\$250) per month for both salaried and nonsalaried mayors.

28
 29 SECTION 2. [THE ARKANSAS CODE REVISION COMMISSION IS NOT REQUIRED TO
 30 CODIFY THIS SECTION.] No benefit enhancement provided for by this act shall
 31 be implemented if it would cause the publicly supported retirement system's
 32 unfunded actuarial accrued liabilities to exceed a thirty (30) year
 33 amortization. No benefit enhancement provided for by this act shall be
 34 implemented by any publicly supported system which has unfunded actuarial
 35 accrued liabilities being amortized over a period exceeding thirty (30) years
 36 until the unfunded actuarial accrued liability is reduced to a level less than

1 the standards prescribed by Arkansas Code, Title 24.

2
3 SECTION 3. Emergency Clause. It is found and determined by the General
4 Assembly of the State of Arkansas that former municipal employees often serve
5 as mayors in municipalities in Arkansas; that the former service as a
6 municipal employee provided valuable background knowledge to aid the mayor in
7 the performance of his job as a public official; that time in public
8 employment should count towards the mayor's retirement benefit; and that it is
9 necessary to provide this benefit to former municipal employees as soon as
10 possible and this act should have immediate effect. Therefore an emergency is
11 declared to exist and this act being immediately necessary for the
12 preservation of the public peace, health and safety shall become effective on
13 the date of its approval by the Governor. If the bill is neither approved nor
14 vetoed by the Governor, it shall become effective on the expiration of the
15 period of time during which the Governor may veto the bill. If the bill is
16 vetoed by the Governor and the veto is overridden, it shall become effective
17 on the date the last house overrides the veto.

18 */s/ Bissbee*