

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: S2/13/01

# A Bill

SENATE BILL 98

5 By: Senator Faris  
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## For An Act To Be Entitled

9 AN ACT CONCERNING RETIREMENT AND SURVIVORS' BENEFITS  
10 OF RETIRED CIRCUIT, CHANCERY, AND APPELLATE JUDGES  
11 WHO ARE ELECTED OR APPOINTED TO A STATE JUDICIAL  
12 OFFICE AFTER RETIREMENT; AND FOR OTHER PURPOSES.  
13

### Subtitle

14 AN ACT CONCERNING RETIREMENT AND  
15 SURVIVORS' BENEFITS OF RETIRED CIRCUIT,  
16 CHANCERY, AND APPELLATE JUDGES WHO ARE  
17 ELECTED OR APPOINTED TO A STATE JUDICIAL  
18 OFFICE AFTER RETIREMENT.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. (a) Any judge or justice under the age of seventy (70)  
25 years who is receiving retirement benefits under Arkansas Code Title 24,  
26 Chapter 8, Subchapter 2 or Subchapter 7, and who is elected or appointed to  
27 any judicial office in this state, and who foregoes receipt of retirement  
28 benefits while serving in the judicial office shall be entitled to resume  
29 receiving his or her previous retirement benefits upon termination of the  
30 subsequent service.

31 (b) If the judge or justice, at the time of the initial retirement, was  
32 entitled to the benefits of the escalator clause provided in Arkansas Code  
33 24-8-218(c)(1) or post retirement benefits provided in Arkansas Code 24-8-223  
34 or 24-8-717, the judge or justice and the judge's or justice's survivors  
35 shall again be entitled to the benefits upon the termination of any such  
36 subsequent judicial service.

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SECTION 2. [THE ARKANSAS CODE REVISION COMMISSION IS NOT REQUIRED TO CODIFY THIS SECTION.] No benefit enhancement provided for by this act shall be implemented if it would cause the publicly supported retirement system's unfunded actuarial accrued liabilities to exceed a thirty (30) year amortization. No benefit enhancement provided for by this act shall be implemented by any publicly supported system which has unfunded actuarial accrued liabilities being amortized over a period exceeding thirty (30) years until the unfunded actuarial accrued liability is reduced to a level less than the standards prescribed by Arkansas Code, Title 24.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that for the effective administration of this act and to avoid undue harm to the members and benefit recipients of the Arkansas Judicial Retirement System and the Tier Two Actual Judicial Service Benefit Plan, this act should become effective immediately. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

*/s/ Fari s*