

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/15/03

A Bill

HOUSE BILL 1219

5 By: Representative R. Smith
6
7

For An Act To Be Entitled

9 *AN ACT TO PROVIDE FOR PROCEDURES FOR REEMPLOYMENT*
10 *OF RETIRED MEMBERS OF THE ARKANSAS PUBLIC*
11 *EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER*
12 *PURPOSES.*

Subtitle

14 *TO PROVIDE FOR PROCEDURES FOR*
15 *REEMPLOYMENT OF RETIRED MEMBERS OF THE*
16 *ARKANSAS PUBLIC EMPLOYEES' RETIREMENT*
17 *SYSTEM.*

18
19
20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22
23 *SECTION 1. Arkansas Code § 24-4-520 is amended to read as follows:*

24 *24-4-520. Termination required for retirement - Subsequent*
25 *reemployment.*

26 *(a) A member of the Arkansas Public Employees' Retirement System must*
27 *terminate covered employment to be eligible for retirement.*

28 *(b) A member shall not be terminated from employment for retirement*
29 *purposes if the person:*

30 *(1) Returns to employment in a position covered under the system*
31 *within thirty (30) days of the person's effective date of retirement; or*

32 *(2) Is a member with service credit under § ~~24-3-301~~ 24-4-521 at*
33 *a rate of two (2) or more years of credited service for each year of actual*
34 *service and the person returns to employment in a position covered under the*
35 *system within ninety (90) days of the person's effective date of retirement.*

36 *(c) Persons failing to meet termination requirements shall forfeit*



1 their benefits until requirements are met.

2 (d) Effective July 1, 2003, a retirant who returns to covered
3 employment, as permitted in subsection (b) of this section, shall again
4 become a member of the Arkansas Public Employees Retirement System and the
5 following shall apply:

6 (1) The member's annuity shall be frozen and suspended during
7 the period of reemployment;

8 (2) Upon the member's subsequent retirement, the frozen annuity
9 shall be resumed, including any benefit increases under § 24-4-607;

10 (3) Service during the period of reemployment shall be credited
11 under § 24-4-507;

12 (4) An additional annuity shall be payable when the member again
13 retires based upon the additional service, provided the period of
14 reemployment is at least twelve (12) months;

15 (5) If the member's credited service during the period of
16 reemployment is less than thirty-six (36) months, the member's final average
17 salary shall be the same as their final average salary at the time of initial
18 retirement;

19 (6) No member is permitted to accrue additional benefits under
20 this subsection (d) more than once; and

21 (7) The member shall not be eligible for participation in the
22 Deferred Retirement Option Plan as provided under §§ 24-4-801 through 24-4-
23 805 during the period of reemployment.

24 (e) A retirant who returned to employment before July 1, 2003, that
25 would otherwise be in covered employment shall be eligible to accrue an
26 additional annuity under subsection (d) of this section if:

27 (1) The member's annuity is frozen and suspended;

28 (2) The member shall return to the system the benefit payments
29 that were received for each month before July 1, 2003 that they want to be
30 considered for additional service credit under subsection (d) of this
31 section;

32 (3) The member pays or causes to be paid all member
33 contributions, if any, on the compensation that would have been paid had the
34 retirant been a member during that period of time plus regular interest from
35 the date the service was rendered to the date of payment; and

36 (4) The member pays or causes to be paid all employer

1 contributions based on the employer normal cost from the most recently
2 completed regular annual actuarial valuation and the compensation that would
3 have been paid had the retirant been a member during that period of time plus
4 regular interest from the date the service was rendered to the date of
5 payment.

6 (f) The elections made in subdivision (d) and (e) of this section
7 shall be made in writing and shall be presented to the Arkansas Public
8 Employees' Retirement System in a form and manner determined acceptable by
9 the system.

10
11 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly of the State of Arkansas that members of the Public Employees'
13 Retirement System who retired before the member deemed necessary are losing
14 the accrual of additional benefits; that the accrual of benefits is important
15 to those members; and that this act is immediately necessary because restore
16 their benefit accrual. Therefore, an emergency is declared to exist and this
17 act being immediately necessary for the preservation of the public peace,
18 health and safety shall become effective on:

19 (1) The date of its approval by the Governor;

20 (2) If the bill is neither approved nor vetoed by the Governor, the
21 expiration of the period of time during which the Governor may veto the bill;
22 or

23 (3) If the bill is vetoed by the Governor and the veto is overridden,
24 the date the last house overrides the veto.

25
26 /s/ R. Smith
27
28
29
30
31
32
33
34
35
36

1
2
3
4
5
6
7
8
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