

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: H3/5/03

A Bill

HOUSE BILL 1246

5 By: Representative R. Smith
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For An Act To Be Entitled

9 AN ACT TO PROVIDE A CHANGE IN BENEFITS FOR
10 SURVIVORS UNDER THE ARKANSAS LOCAL POLICE AND
11 FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.
12

Subtitle

14 TO PROVIDE A CHANGE IN BENEFITS FOR
15 SURVIVORS UNDER THE ARKANSAS LOCAL
16 POLICE AND FIRE RETIREMENT SYSTEM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 24-10-608(a) - (b), concerning the death of*
22 *a member in paid service under the Arkansas Local Police and Fire Retirement*
23 *System, are amended to read as follow:*

24 *(a)(1) If an active member with five (5) or more years of credited*
25 *paid service, including credited service for the year immediately preceding*
26 *his or her death, dies in employer-paid service before retirement, the*
27 *applicable benefits provided in this subsection and subsections (c)-(e) of*
28 *this section shall be paid, subject to § 24-10-610.*

29 *(2)(A) His or her surviving spouse, who was married to the*
30 *member at least one (1) year immediately preceding his or her death, shall*
31 *receive an annuity ~~computed in the same manner in all respects as if the~~*
32 *member had:*

33 *~~(A) Retired the date of his or her death with entitlement~~*
34 *~~to an annuity provided for in § 24-10-602;~~*

35 *~~(B) Elected Option B50 survivor beneficiary annuity~~*
36 *~~provided for in § 24-10-603; and~~*



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1 ~~(C) Nominated the spouse as joint beneficiary.~~

2 (B) The amount of the annuity is the amount that would
 3 have been paid had the member retired the date of the member's death with an
 4 entitlement to an annuity under § 24-10-602.

5 (3) The spouse annuity shall not be less than twenty percent
 6 (20%) of the deceased member's final average pay at the time of death, or one
 7 hundred twenty-five dollars (\$125) monthly, whichever is greater.

8 (b)(1) If an active member dies in employer-paid service before
 9 retirement as a result of a personal injury or disease which the Board of
 10 Trustees of the Arkansas Local Police and Fire Retirement System finds to
 11 have arisen out of and in the course of his or her actual performance of duty
 12 as an employee, the applicable benefits provided in this subsection and
 13 subsections (c)-(e) of this section shall be paid, subject to § 24-10-610.

14 (2)(A) His or her surviving spouse, who was married to the
 15 member at least one (1) year immediately preceding his or her death, shall
 16 receive an annuity ~~computed in the same manner in all respects as if the~~
 17 ~~member had:~~

18 ~~(A) Retired the date of his or her death with entitlement~~
 19 ~~to an annuity provided for in § 24-10-602;~~

20 ~~(B) Elected Option B50 survivor beneficiary annuity~~
 21 ~~provided for in § 24-10-603; and~~

22 ~~(C) Nominated the spouse as joint beneficiary.~~

23 (B) The amount of the annuity is the amount that would
 24 have been paid had the member retired the date of the member's death with an
 25 entitlement to an annuity under § 24-10-602.

26 (3) For the sole purpose of computing the amount of the annuity
 27 on account of any member who does not have twenty-five (25) years of credited
 28 service in force at the time of death, credited service shall be granted for
 29 the period from the date of his or her death to the date he or she would have
 30 completed twenty-five (25) years of credited service.

31 (4) The spouse annuity shall not be less than twenty percent
 32 (20%) of the deceased member's final average pay at the time of death or one
 33 hundred twenty-five dollars (\$125) monthly, whichever is greater.

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 35 /s/ R. Smith
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