

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 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1197

5 By: Representative Wood  
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## For An Act To Be Entitled

9 AN ACT PERTAINING TO RETIREMENT BENEFITS FOR  
10 ELECTED CITY ATTORNEYS IN A CITY OF THE FIRST  
11 CLASS; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 PERTAINING TO RETIREMENT BENEFITS FOR  
14 ELECTED CITY ATTORNEYS IN A CITY OF THE  
15 FIRST CLASS.  
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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 § 24-12-120 is amended to read as follows:

22 24-12-120. City attorneys in cities of the first class and cities of  
23 the second class.

24 (a) Upon approval by the governing body, a city of the first class or  
25 city of the second class may provide for retirement benefits established by  
26 this section for ~~a~~ an elected city attorney ~~elected~~ in a city of the second  
27 class or a city attorney appointed to office in a city of the first class or  
28 city of the second class.

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



1 (c) All payments of retirement benefits under this section shall be  
2 payable monthly and shall be paid from the general funds of the city.

3 (d) Any person serving as an elected city attorney in a city of the  
4 first class shall be subject to the retirement provisions under § 24-12-121.

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6 SECTION 2. Arkansas Code § 24-12-121 is amended to read as follows:

7 24-12-121. City clerk - Clerk-treasurer - Elected city attorneys.

8 (a) Any city clerk, ~~or~~ clerk-treasurer, or elected city attorney in a  
9 city of the first class who shall have served as city clerk, clerk-treasurer,  
10 ~~and~~ city treasurer, or as an elected city attorney for a period of not less  
11 than ten (10) years, upon reaching the age of sixty (60), or who shall serve  
12 twenty (20) years without regard to age, shall be entitled to retire from  
13 office for the remainder of his or her life at the retirement pay provided  
14 for in this section.

15 (b)(1) Any city clerk, city treasurer, elected city attorney, or any  
16 person serving as city clerk or clerk-treasurer who shall retire or be  
17 succeeded by another city clerk, ~~or~~ clerk-treasurer, or elected city attorney  
18 within the provisions of this section shall be paid monthly a sum equal to  
19 one-half (1/2) of the monthly salary received by him or her during the last  
20 preceding year of his or her service.

21 (2) The retirement pay shall be paid by the city from its  
22 general fund account.

23 (c)(1) Any city clerk, ~~or~~ clerk-treasurer, or elected city attorney in  
24 a city of the first class who has served in another capacity with the same  
25 city, and that capacity of service also provides for a retirement plan, may  
26 apply all years served in that previous capacity toward the accrual of the  
27 vesting period provided for in subsection (a) of this section, if approved by  
28 the city council.

29 (2) Benefits shall be paid proportionally from the various funds  
30 applicable to the respective capacities of service. This shall be based on  
31 the length of service in each capacity for the city.  
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