

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

As Engrossed: H2/15/05

A Bill

HOUSE BILL 1206

5 By: Representative Adams
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For An Act To Be Entitled

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

Subtitle

14 TO PROVIDE FOR THE REEMPLOYMENT OF
15 RETIRED MEMBERS OF THE ARKANSAS PUBLIC
16 EMPLOYEES' 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 § 24-4-520 is amended to read as follows:

22 24-4-520. Termination required for retirement - Subsequent
23 reemployment.

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

26 (b) A member shall not be terminated from employment for retirement
27 purposes if the person:

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

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

34 (c) Persons failing to meet termination requirements shall forfeit
35 their benefits until requirements are met.

36 (d) Effective July 1, 2005, a member who is retired and returns to



1 employment in a position covered under the system may again become a member
2 of the Arkansas Public Employees' Retirement System subject to the following:

3 (1) The member's annuity is frozen and suspended during the
4 period of reemployment;

5 (2) Upon the member's subsequent retirement, the frozen annuity
6 is resumed, including any benefit increases under § 24-4-607;

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

9 (4) Upon the member's subsequent retirement, an additional
10 annuity shall be payable based on the additional service if the period of
11 reemployment is at least twelve (12) months;

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

16 (6) A member may not accrue additional benefits under this
17 subsection more than one (1) time; and

18 (7) The member is not eligible for participation in the Deferred
19 Retirement Option Plan under §§ 24-4-801 - 24-4-805 during the period of
20 reemployment.

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22 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly of the State of Arkansas that members of the Arkansas Public
24 Employees' Retirement System who retired before the member deemed necessary
25 are losing the accrual of additional benefits upon reemployment; that the
26 accrual of benefits is important to the reemployed members; that this act
27 will allow retired members to become reemployed and be credited for their
28 service; and that for purposes of effective administration this act should
29 become effective July 1, 2005. Therefore, an emergency is declared to exist
30 and this act being necessary for the preservation of the public peace,
31 health, and safety shall become effective on July 1, 2005.

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33 /s/ Adams
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