

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

A Bill

HOUSE BILL 1223

4
5 By: Representative Mahony
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For An Act To Be Entitled

8
9 AN ACT TO INCREASE DISABILITY BENEFITS FOR POLICE
10 OFFICERS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO INCREASE DISABILITY BENEFITS
14 FOR POLICE OFFICERS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 24-10-607(d), pertaining to disability
20 retirement, is amended as follows:

21 (d)(1)(A) Upon disability retirement as provided in subsection (c) of
22 this section, a member shall receive an annuity provided for in § 24-10-602.

23 (B) However, for the sole purpose of computing the amount
24 of the annuity for such a retirant who does not have twenty-five (25) years
25 of credited service in force at the beginning of the disability retirement,
26 credited service shall be granted for the period from the date of disability
27 retirement to the date the retirant would have completed twenty-five (25)
28 years of credited service.

29 (2)(A) Upon disability retirement as provided in subsection (c)
30 of this section for members in paid service, a member shall receive an
31 annuity provided for in § 24-10-602.

32 (B) However, for determining the amount of the annuity,
33 the retirant's annuity amount shall either be equal to ~~sixty-five percent~~
34 ~~(65%)~~ ninety percent (90%) of the final average salary of the member or shall
35 be equal to the annuity paid to retirants for each year of paid service
36 resulting from employment as provided for in § 24-10-602, whichever is



1 greater.

2 (3) The retirant shall have the right to elect an option
3 provided for in § 24-10-603.

4 (4) The retirant's disability retirement and annuity shall be
5 subject to the provisions of subsection (e) of this section and to the
6 provisions of § 24-10-610.

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8 SECTION 2. Arkansas Code § 24-10-607(f), pertaining to disability
9 retirement, is amended as follows:

10 (f)(1)(A) Beginning July 1, 2003, subdivision (d)(2) of this section
11 shall apply retroactively to allow members of the Arkansas Local Police and
12 Fire Retirement System who received a disability retirement before July 1,
13 2001, to receive the greater benefit of sixty-five percent (65%) of the final
14 average salary of the member or an amount equal to the annuity paid to
15 retirants for each year of paid service resulting from employment.

16 ~~(2)(B)~~ However, the system shall not be responsible for
17 making benefit payments retroactive to the effective date of the disability.

18 (2)(A) Beginning July 1, 2005, subdivision (d)(2) of this
19 section shall apply to allow members of the Arkansas Local Police and Fire
20 Retirement System who receive disability retirement benefits on and after
21 July 1, 2005, to receive the greater benefit of ninety percent (90%) of the
22 final average salary of the member or an amount equal to the annuity paid to
23 retirants for each year of paid service resulting from employment.

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25 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly of the State of Arkansas that for the effective
27 administration of this act and to avoid undue harm to the members and benefit
28 recipients of the Arkansas Local Police and Fire Retirement System that this
29 act should become effective on July 1, 2005. Therefore, an emergency is
30 declared to exist and this act being necessary for the preservation of the
31 public peace, health, and safety shall become effective on July 1, 2005.

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