

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

SENATE BILL 169

4
5 By: Senator Faris
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For An Act To Be Entitled

8
9 AN ACT TO ALLOW MEMBERS OF THE ARKANSAS PUBLIC
10 EMPLOYEES' RETIREMENT SYSTEM PARTICIPATING IN THE
11 DEFERRED RETIREMENT OPTION PLAN TO REVOKE
12 ELECTION IN THE PLAN; AND FOR OTHER PURPOSES.
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Subtitle

14
15 TO ALLOW MEMBERS OF THE ARKANSAS PUBLIC
16 EMPLOYEES' RETIREMENT SYSTEM
17 PARTICIPATING IN THE DEFERRED RETIREMENT
18 OPTION PLAN TO REVOKE ELECTION IN THE
19 PLAN.
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 24-4-802 is amended to read as follows:
25 24-4-802. Eligibility – Effect of election.

26 (a) When a member of the Arkansas Public Employees' Retirement System
27 elects participation in the Arkansas Public Employees' Retirement System
28 Deferred Retirement Option Plan, the member shall fill out an application
29 form as developed by the Board of Trustees of the Arkansas Public Employees'
30 Retirement System. The member's application shall be reviewed to determine
31 whether or not the member meets the eligibility requirements specified in
32 this subchapter. The member's deferred retirement option date shall be the
33 later of:

34 (1) The first day of the second month following the system's
35 determination that the member is eligible for plan participation; or

36 (2) The date requested by the member on the application.



1 (b)(1) A member who elects participation in the plan may elect one (1)
2 of the annuity options provided in § 24-4-606.

3 (2) The election shall be deemed to apply to the member's
4 deferred retirement option plan benefit as well as to the member's monthly
5 retirement benefit from the system at the time it becomes payable.

6 (c)(1) The election to participate in the plan is irrevocable and the
7 duration of participation in the plan for active members shall not exceed
8 seven (7) years.

9 (2) Under no circumstances shall a member receive service credit
10 under any state-supported retirement system during a period of participation
11 or following a period of such participation in the plan.

12 (d) When a member begins participation, both employee and employer
13 contributions to the system on behalf of the member shall cease.

14 (e) Effective July 1, 2005, a member who has elected to participate in
15 the plan may revoke his or her participation in the plan if:

16 (1) The revocation is submitted to the system in writing on or
17 before December 31, 2005; and

18 (2) The employee or employer pays the amount of contributions
19 that would have been contributed to the member's account had the member not
20 participated in the plan plus interest of eight percent (8%) from the date
21 the member elected to become a participant in the plan.

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23 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly of the State of Arkansas that the election of a member of
25 the Arkansas Public Employees' Retirement System to participate in the
26 Deferred Option Retirement Plan is irrevocable; that certain situations arise
27 which would make it beneficial to revoke the election to participate in the
28 plan; that this act provides for the revocation; and that for the effective
29 administration of this act it should become effective at the beginning of the
30 next fiscal year. Therefore, an emergency is declared to exist and this act
31 being necessary for the preservation of the public peace, health, and safety
32 shall become effective on July 1, 2005.