

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: S2/21/05

# A Bill

SENATE BILL 182

5 By: Senator Baker  
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## For An Act To Be Entitled

8 AN ACT CONCERNING CREDITED SERVICE IN THE  
9 ARKANSAS TEACHER RETIREMENT SYSTEM FOR UNUSED  
10 SICK LEAVE; AND FOR OTHER PURPOSES.  
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12

### Subtitle

13 AN ACT CONCERNING CREDITED SERVICE IN  
14 THE ARKANSAS TEACHER RETIREMENT SYSTEM  
15 FOR UNUSED SICK LEAVE.  
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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 § 6-17-1205 is amended to read as follows:  
22 6-17-1205. Record of used and accumulated leave.

23 (a) A record of sick leave used and accumulated shall be established  
24 and maintained by each school district for each of its teachers.

25 (b) Except as provided in subsection (e) of this section, ~~Sick sick~~  
26 leave that is unused by a teacher during any school year shall be accumulated  
27 in that teacher's sick leave account at a rate of one (1) day per month or  
28 major portion thereof employed until ninety (90) days have been accumulated.

29 (c) Except as provided in subsection (e) of this section, A a teacher  
30 who qualifies for sick leave under § 6-17-1204 may use any amount up to his  
31 or her total number of accumulated days.

32 (d) Accumulated days of sick leave that are used up may be restored up  
33 to ninety (90) days in the same manner that they were first accumulated.

34 (e) For purposes of § 24-7-612, sick leave that is unused by a teacher  
35 during any school year shall be accumulated in that teacher's sick leave  
36 account at the rate of one (1) per day per month or major portion thereof



1 thereof employed until at least one hundred seventy eight (178) days have  
2 been accumulated.

3  
4 SECTION 2. Arkansas Code 6-17-1206(a), concerning the transfer of  
5 credit for leave accumulated in another district, is amended to read as  
6 follows:

7 (a)(1) Except as provided in subdivision (a)(2) of this section,  
8 ~~Whenever~~ if an employee of a school district, an educational cooperative, a  
9 state education agency, or a two-year college in this state shall leave the  
10 school district, educational cooperative, state education agency, or two-year  
11 college and accept employment in another school district in this state,  
12 educational cooperative, state education agency, or two-year college, the  
13 employee shall be granted credit by the new school district, educational  
14 cooperative, state education agency, or two-year college for any unused sick  
15 leave accumulated by the employee while employed by the former school  
16 district but not to exceed a maximum of ninety (90) days.

17 (2) For purposes of § 24-7-612, a teacher who transfers to  
18 another school district, educational cooperative, state education agency, or  
19 two-year college shall be eligible to transfer at least one hundred seventy-  
20 eight (178) days of unused sick leave.

21  
22 SECTION 3. Arkansas Code 6-17-1207 is amended to read as follows:  
23 6-17-1207. Payment for unused leave.

24 (a) Payment for unused sick leave shall be made from the salary fund  
25 of the district, and these moneys shall be included in meeting the annual  
26 requirements for payment of teachers' salaries.

27 (b) Unused sick leave accumulated for the purposes of § 24-7-612 shall  
28 not be considered in the payment of unused sick leave.

29  
30 SECTION 4. Arkansas Code § 24-7-601(c), concerning the limitation on  
31 granting credited service for unused sick leave under the Arkansas Teacher  
32 Retirement System, is amended to read as follows:

33 (c)(1) Days of absence from service because of sickness shall be  
34 considered as service if the days are paid sick leave.

35 (2) Except as provided in § 24-7-612, ~~Days~~ days of paid sick  
36 leave shall not be considered service if the payment is for unused sick

1 leave.

2

3 SECTION 5. Arkansas Code Title 24, Chapter 7, Subchapter 6 is amended  
4 to add a new section to read as follows:

5 24-7-612. Unused sick leave.

6 (a) An active member who has at least twenty-five (25) years of  
7 credited service in the Arkansas Teacher Retirement System and who has  
8 accumulated one hundred seventy-eight (178) days of sick leave may purchase  
9 one (1) year of credited service pursuant to the provisions of this section.

10 (b) An active member eligible to purchase credited service pursuant to  
11 this section shall be eligible upon application under the following  
12 conditions:

13 (1)(A) For the year of credited service granted pursuant to this  
14 section, the member shall pay to the system the employee contributions based  
15 on:

16 (i) The greater of:

17 (a) The annual salary received by the member  
18 for the member's first full year of credited service that precedes the fiscal  
19 year in which the service is purchased; or

20 (b) The average of the three (3) highest  
21 annual salaries earned at the time of purchase; and

22 (ii) Interest from the end of that year of credited  
23 service to the date of payment in full.

24 (B) The contribution rate is the rate in effect at the  
25 time of purchase.

26 (C) If the payment for service under this section is not  
27 made in a single lump-sum payment, interest shall accrue from the date of the  
28 initial payment to the date of the payment in full.

29 (D) The payment is credited to the member's deposit  
30 account and is in addition to regular member contributions;

31 (2) Credited service purchased under this section shall not  
32 become credited service under the system until the member payments specified  
33 in subdivision (b)(1) of this section have been paid in full; and

34 (3) The benefit program to be applied to the year of service  
35 credit being granted shall be the benefit program in effect at the time of  
36 retirement.

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*/s/ Baker*