

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1190

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

8
9 AN ACT CONCERNING WAIVERS OF THE ARKANSAS TEACHER
10 RETIREMENT SYSTEM EARNINGS LIMITATION; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 AN ACT CONCERNING WAIVERS OF THE
15 ARKANSAS TEACHER RETIREMENT SYSTEM
16 EARNINGS LIMITATION.
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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 § 24-7-708(f), concerning waivers of the
22 Arkansas Teacher Retirement System earnings limitation, is amended to read as
23 follows:

24 (f)(1) In accordance with rules ~~and regulations~~ adopted by the State
25 Board of Education, the Department of Education may request of the board of
26 trustees or its designee a waiver of the conditions subjecting annuities to
27 limitations. If approved by the board of trustees or its designee, the waiver
28 shall be effective for a one-year period, with the option to renew annually
29 for up to a total of three (3) years as requested by the department.

30 (2) A waiver of the conditions subjecting annuities to
31 limitations may be requested if ~~the retirant~~ a retirant with at least thirty
32 (30) years of credited service at the time of retirement is hired by a public
33 school district due to a shortage of certified teachers in a critical
34 academic area in which the retirant is certified.

35 (3) The critical academic areas in which there is a shortage of
36 certified teachers shall be determined annually by the State Board of



1 Education.

2 (4) School districts shall maintain audit files identifying
3 personnel granted a waiver and documenting the reasons for the waiver.

4 (5) Beginning July 1, 2005, for any retired member employed in a
5 position covered by the system pursuant to a waiver, the employer and
6 employee contribution rate to the system on behalf of the member shall
7 recommence at the rate in effect at the time of the employment and shall be
8 remitted by the employer.

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10 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly of the State of Arkansas that the current laws applicable to
12 the Arkansas Teacher Retirement System regarding waivers of the Arkansas
13 Teacher Retirement System earnings limitation require revision; that
14 revisions are necessary to ensure the effective and efficient operation of
15 the system; and that the most effective time to make changes to the
16 retirement system is at the beginning of the state's fiscal year. Therefore,
17 an emergency is declared to exist and this act being immediately necessary
18 for the preservation of the public peace, health, and safety shall become
19 effective on July 1, 2007.

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