

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 1232

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

8
9 AN ACT CONCERNING RESCISSION OF TERMINATION OF
10 ACTIVE MEMBERSHIP IN THE ARKANSAS TEACHER
11 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT CONCERNING RESCISSION OF
15 TERMINATION OF ACTIVE MEMBERSHIP IN THE
16 ARKANSAS TEACHER 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 § 24-7-717 is amended to read as follows:

22 24-7-717. Rescission of termination of active membership.

23 (a)(1) A retirant under this chapter ~~who has not attained age seventy-~~
24 ~~two (72)~~ may rescind the decision to ~~terminate active membership~~ retire and
25 may become an active member upon reemployment.

26 (2) Effective July 1, 2007, a retirant may elect a rescission
27 under subdivision (a)(1) of this section only one (1) time.

28 (b) ~~Persons~~ A retirant rescinding ~~their decisions to terminate active~~
29 ~~membership~~ his or her retirement shall file a written rescission on the form
30 furnished by ~~the Board of Trustees of~~ the Arkansas Teacher Retirement System.

31 (c) The rescission shall become effective the first day of the
32 calendar month next following the date the written rescission is received by
33 the ~~board~~ system.

34 (d)(1) Upon rescission, a former retirant shall be considered an
35 active member and shall accrue additional credited service subject to the
36 provisions of subsection (e) of this section.



1 (2) ~~Any annuity benefit formerly due from the Arkansas Teacher~~
 2 ~~Retirement System shall be terminated upon the effective date of the~~
 3 ~~rescission~~ Retirement benefits from the system shall cease upon the effective
 4 date of the rescission.

5 (e)(1)(A) If reemployment terminates before the end of the fiscal year
 6 in which a former retirant has accumulated at least three (3) years of
 7 ~~credited~~ actual service, the former retirant shall become a retired member,
 8 and the payment of the annuity shall resume upon the termination.

9 (B) The former retirant shall be entitled to receive any
 10 member contributions which may have been made during the reemployment period.

11 (2) If reemployment terminates after the end of the fiscal year
 12 in which the former retirant has accumulated at least three (3) years of
 13 ~~credited~~ actual service, then upon termination of reemployment, the former
 14 retirant shall become a retired member and receive an annuity which has been
 15 recalculated according to the benefit formula in effect at the time of the
 16 termination of reemployment.

17 ~~(f) Effective July 1, 1993, if a retirant has previously rescinded his~~
 18 ~~or her decision to terminate active membership and has become an active~~
 19 ~~member by reemployment, but after becoming a retirant and before rescinding~~
 20 ~~had been employed in a position covered by the system, as an active member he~~
 21 ~~or she shall be eligible to purchase the previous service by:~~

22 ~~(1) Fulfilling the requirements set out in subdivision (e)(2) of~~
 23 ~~this section;~~

24 ~~(2) Returning to the system all retirement benefits received~~
 25 ~~during the employment, together with regular interest from the date of~~
 26 ~~receipt of the payments to the date of repayment in full; and~~

27 ~~(3) Paying to the system both member and employer contributions~~
 28 ~~for the previous service rendered after becoming a retirant but before~~
 29 ~~rescinding, plus regular interest from the date of reemployment to the date~~
 30 ~~of payment in full.~~

31 ~~(g)~~(f)(1)(A) A retirant who voluntarily retired early under § 24-7-702
 32 may rescind the decision to ~~terminate active membership~~ retire and may become
 33 an active member upon reemployment for the purpose of participation in the
 34 Teacher Deferred Retirement Option Plan.

35 (B) Effective July 1, 2007, each retirant may elect
 36 recision under subdivision (f)(1)(A) of this section only one (1) time.

1 (2) Upon reemployment and completion of credited service
2 required to meet the minimum conditions of participation in the plan, the
3 reemployed retirant may elect to participate in the plan.

4 (3) If reemployment terminates before the end of the fiscal year
5 in which a former retirant has worked at least three (3) years, then the
6 former retirant shall:

7 (A) Become a retired member, and the payment of the
8 annuity at the time of recission shall resume upon the termination;

9 (B) Be entitled to receive any member contributions that
10 may have been made during the reemployment period; and

11 (C) Forfeit any accumulated funds in the plan.

12 (4) If the former retirant's reemployment terminates after the
13 end of the fiscal year in which the former retirant has accumulated at least
14 three (3) years of ~~credited~~ actual service, then upon termination of
15 reemployment the former retirant shall become a retired member and receive an
16 annuity along with any funds accumulated while participating in the plan.

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