

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S2/12/09
A Bill

HOUSE BILL 1024

5 By: Representative Abernathy
6 By: Senator Broadway
7

8
9 **For An Act To Be Entitled**

10 AN ACT TO ALLOW TWO-YEAR COLLEGES TO COMPENSATE
11 NONCLASSIFIED EMPLOYEES FOR UNUSED SICK LEAVE AT
12 RETIREMENT; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO ALLOW TWO-YEAR COLLEGES TO COMPENSATE
16 NONCLASSIFIED EMPLOYEES FOR UNUSED SICK
17 LEAVE AT RETIREMENT.
18

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 21-4-503(a), concerning the applicability
23 of financial incentives to decrease the use of sick leave, is amended to read
24 as follows:

25 (a) The provisions of ~~this subchapter~~ § 21-4-501 and § 21-4-504 apply
26 to:

27 (1) ~~employees~~ Employees of the Arkansas State Game and Fish
28 Commission;

29 (2) Employees of the Arkansas State Highway and Transportation
30 Department;

31 (3) ~~classified~~ Classified employees of state-supported
32 institutions of higher ~~learning,~~ education; and

33 (4) Employees of all agencies of this state whether in the
34 executive, legislative, or judicial branch of government.
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36 SECTION 2. Arkansas Code Title 21, Chapter 4, Subchapter 5 is amended



1 to add an additional section to read as follows:

2 21-4-505. Compensation for unused sick leave of nonclassified
3 employees of two-year colleges.

4 (a) A two-year state-supported institution of higher education may, in
5 its discretion, compensate a nonclassified employee of the institution for
6 accumulated unused sick leave by providing to the nonclassified employee the
7 same compensation for accumulated unused sick leave provided to a classified
8 employee of the institution under § 21-4-501.

9 (b) Compensation for accumulated unused sick leave under this section
10 shall not be used by the:

11 (1) Arkansas Teacher Retirement System in the calculation of
12 final average salary under § 24-7-202; or

13 (2) Arkansas Public Employees' Retirement System in the
14 calculation of final average compensation under § 24-4-101.

15
16 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly of the State of Arkansas that some retiring classified and
18 nonclassified employees of two-year colleges have not received the benefits
19 intended by prior law; that this act clarifies the eligibility of
20 nonclassified employees for these benefits; and that this act is immediately
21 necessary to preserve that eligibility for those nonclassified employees of
22 two-year colleges making retirement decisions before the end of the current
23 semester. Therefore, an emergency is declared to exist and this act being
24 necessary for the preservation of the public peace, health, and safety shall
25 become effective on:

26 (1) The date of its approval by the Governor;

27 (2) If the bill is neither approved nor vetoed by the Governor,
28 the expiration of the period of time during which the Governor may veto the
29 bill; or

30 (3) If the bill is vetoed by the Governor and the veto is
31 overridden, the date the last house overrides the veto.

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33 /s/ Abernathy
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