

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

# A Bill

HOUSE BILL 1110

4  
5 By: Representative Kerr  
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## For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF COMPENSATION  
10 UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT  
11 SYSTEM TO INCLUDE A BONUS PAID TO A COUNTY OR  
12 MUNICIPAL EMPLOYEE; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 TO AMEND THE DEFINITION OF COMPENSATION  
15 UNDER THE ARKANSAS PUBLIC EMPLOYEES'  
16 RETIREMENT SYSTEM TO INCLUDE A BONUS  
17 PAID TO A COUNTY OR MUNICIPAL EMPLOYEE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 14-14-1206(a), concerning compensation of  
24 county employees, is amended to read as follows:

25 (a) Compensation. The quorum court of each county shall, by  
26 ordinance, fix the number and compensation of all county employees, including  
27 a bonus or lump sum payment.  
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29 SECTION 2. Arkansas Code § 24-4-101(11), concerning the definition of  
30 "compensation", is amended to read as follows:

31 (11)(A) "Compensation" means the recurring remuneration paid a member  
32 by public employers for personal services rendered by a member in a position  
33 covered by an employer participating in the Arkansas Public Employees'  
34 Retirement System.

35 (B) The following shall be considered recurring  
36 remuneration for personal services for the purposes of determining retirement



1 benefits:

2 (i) Career service recognition payments paid to a  
3 member under § 21-5-106;

4 (ii) Payments made to a member under § 21-5-1101,  
5 including without limitation, a lump sum payment; ~~and~~

6 (iii) Payments made to a member under § 14-14-  
7 1206(a), including without limitation, a bonus or a lump sum payment;

8 (iv) A bonus or lump sum payment made to a municipal  
9 employee as provided in the municipality's annual budget under § 14-42-308;  
10 and

11 ~~(iii)~~(iv) Lump sum payments made to a member under  
12 §§ 21-5-211 and 21-5-219.

13 (C) In case a member's compensation includes either  
14 lodging or meals, or both, exclusive of travel expense, the cash value of the  
15 lodging and meals shall be fixed by the board, not to exceed the amount the  
16 employee is required to report for federal income tax purposes;

17  
18 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
19 General Assembly that the provisions of this act change the calculation of  
20 compensation for retirement purposes and should become effective on July 1,  
21 2009, for consistent application and to avoid confusion; and that unless this  
22 emergency clause is adopted, this act will not go into effect until after the  
23 beginning of the next fiscal year. Therefore, an emergency is hereby  
24 declared to exist and this act being necessary for the preservation of the  
25 public peace, health, and safety shall be in full force and effect from and  
26 after July 1, 2009.

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