

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1229

By: Representative J. Roebuck

For An Act To Be Entitled

AN ACT CONCERNING THE APPLICATION OF EARNINGS
LIMITATION TO RETIRED MEMBERS OF THE ARKANSAS
TEACHER RETIREMENT SYSTEM WHO ARE EMPLOYED IN A
CRITICAL TEACHER SHORTAGE AREA BY A HIGHER
EDUCATION INSTITUTION; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE APPLICATION OF EARNINGS
LIMITATION TO RETIRED MEMBERS OF THE
ARKANSAS TEACHER RETIREMENT SYSTEM WHO
ARE EMPLOYED IN A CRITICAL TEACHER
SHORTAGE AREA BY A HIGHER EDUCATION
INSTITUTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 24-7-708(a), concerning the conditions
subjecting annuities to limitations, is amended to read as follows:

(a) Except as provided in subsections ~~(f) and (g)~~ (f)-(h) of this
section, if a retirant is an employee of a public employer whose employees
are covered by the Arkansas Teacher Retirement System, then, for each twelve-
month period ending June 30, the amount of his or her system annuity shall be
subject to the limitations equivalent to twice the limitations imposed by the
social security retirement test.

SECTION 2. Arkansas Code § 24-7-708, concerning the exceptions to the
limitations on annuities, is amended to add an additional subsection to read



1 as follows:

2 (h)(1) A retired member entering into a position of employment in a
3 critical teacher shortage area with a higher education institution is exempt
4 from this section and shall be employed with no limitations placed on his or
5 her earnings.

6 (2)(A) The Department of Higher Education shall establish a list
7 of critical teacher shortage areas each school year.

8 (B) For purposes of this subdivision, "critical teacher
9 shortage area" means a lack of certified teachers in a particular subject
10 area or in a geographic location as determined annually by the Director of
11 the Department of Higher Education.

12 (3) For a retired member returning to work under subdivision
13 (h)(1) of this section, the employer and employee contribution rate to the
14 system on behalf of the retired member shall recommence at the rate in effect
15 at the time of the employment and shall be remitted by the employer.