

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 1229

4  
5 By: Representative J. Roebuck  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE APPLICATION OF EARNINGS  
10 LIMITATION TO RETIRED MEMBERS OF THE ARKANSAS  
11 TEACHER RETIREMENT SYSTEM WHO ARE EMPLOYED IN A  
12 CRITICAL TEACHER SHORTAGE AREA BY A HIGHER  
13 EDUCATION INSTITUTION; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 CONCERNING THE APPLICATION OF EARNINGS  
17 LIMITATION TO RETIRED MEMBERS OF THE  
18 ARKANSAS TEACHER RETIREMENT SYSTEM WHO  
19 ARE EMPLOYED IN A CRITICAL TEACHER  
20 SHORTAGE AREA BY A HIGHER EDUCATION  
21 INSTITUTION.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 24-7-708(a), concerning the conditions  
27 subjecting annuities to limitations, is amended to read as follows:

28 (a) Except as provided in subsections ~~(f) and (g)~~ (f)-(h) of this  
29 section, if a retirant is an employee of a public employer whose employees  
30 are covered by the Arkansas Teacher Retirement System, then, for each twelve-  
31 month period ending June 30, the amount of his or her system annuity shall be  
32 subject to the limitations equivalent to twice the limitations imposed by the  
33 social security retirement test.  
34

35 SECTION 2. Arkansas Code § 24-7-708, concerning the exceptions to the  
36 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.

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