

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

SENATE BILL 190

4  
5 By: Senator Faris  
6 By: Representative Maloch

## For An Act To Be Entitled

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10 AN ACT TO ENCOURAGE JUDICIAL SERVICE AND  
11 RETENTION OF JUDGES THROUGH RETIREMENT  
12 INCENTIVES; AND FOR OTHER PURPOSES.

### Subtitle

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15 TO ENCOURAGE JUDICIAL SERVICE AND  
16 RETENTION OF JUDGES THROUGH RETIREMENT  
17 INCENTIVES.

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

21  
22 SECTION 1. Arkansas Code § 24-8-211 is amended to read as follows:

23 24-8-211. Contributions – Cessation upon retirement.

24 (a) When a judge is certified as eligible for retirement, no further  
25 contribution shall be required of ~~him~~ the judge.

26 (b) Upon the written notice of election by the member of the Arkansas  
27 Judicial Retirement System, a judge with at least twenty (20) years of  
28 judicial service may continue or recommence payment of the six percent (6%)  
29 contribution into the system to accrue the maximum retirement benefit  
30 provided under § 24-8-218.

31  
32 SECTION 2. Arkansas Code § 24-8-218(c)(3), concerning the benefits  
33 payable to judges and justices, is amended to read as follows:

34 (c)(3)(A) This method of determination of the amount of retirement or  
35 survivors' benefits shall be applicable to any person who is a member of the  
36 Arkansas Judicial Retirement System on or before June 30, 1983.



1 (B) For all judges or justices first elected after July 1,  
 2 1983, the benefit payable shall be ~~limited to~~ sixty percent (60%) of the  
 3 salary, after twenty (20) years or more of judicial service, for the office  
 4 at the time of the member's retirement.

5 (C)(i) Prospective with the passage of this Act, the  
 6 benefit payable for each year of additional service after twenty (20) years  
 7 of judicial service, the benefit shall be increased by two and one-half  
 8 percent (2.5%), in accordance with the provisions of § 24-8-211(b).

9 (ii) Election to participate shall be made in  
 10 writing in a manner and method determined by the Arkansas Judicial Retirement  
 11 System board of trustees and shall be irrevocable.

12 (iii) The maximum retirement benefit payable to a  
 13 judge or justice under this section is seventy-five percent (75%) of the  
 14 salary for the office at the time of the member's retirement.

15  
 16 SECTION 3. Arkansas Code § 24-2-402(4)(B) concerning the calculations  
 17 used in determining reciprocal final average compensation is amended to read  
 18 as follows:

19 (B) The final average compensation to be used to determine  
 20 monthly benefits payable to that person shall be that of the reciprocal  
 21 system which furnishes the highest final average compensation at the time of  
 22 retirement, but each reciprocal system shall use the method of computing  
 23 final average compensation stipulated by its law, and compensation in the  
 24 Arkansas Judicial Retirement System shall ~~not be used to determine final~~  
 25 ~~average compensation~~ be calculated at eighty percent (80%) of the Arkansas  
 26 Judicial Retirement System's final average compensation determination for  
 27 determining reciprocal final average compensation.

28  
 29 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 30 General Assembly of the State of Arkansas that this act makes revisions to  
 31 benefits received by certain members of the Arkansas Judicial Retirement  
 32 System and that the ideal time to make revisions to the system is at the  
 33 beginning of the fiscal year. Therefore, an emergency is declared to exist  
 34 and this act being immediately necessary for the preservation of the public  
 35 peace, health, and safety shall become effective July 1, 2009.

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