1 2	State of Arkansas 88th General Assembly	As Engrossed: H1/19/11 H1/26/11 H2/8/11 A Bill
2	Regular Session, 2011	HOUSE BILL 1018
4	Regular Session, 2011	HOUSE BILL 1010
5	By: Representatives Kerr,	English, Summers, Westerman, J. Edwards, Dale, Linck, D. Hutchinson,
6	Hickerson, Baird, Lindsey, Mayberry, Nickels, J. Roebuck, Wren, Clemmer, Lea, Benedict, Hobbs,	
7	Harris, S. Meeks, D. Meeks, Lampkin, Carnine, Eubanks, Hyde	
8	By: Senators J. Hutchinson, D. Johnson, Rapert, B. Sample, J. Key	
9		
10	For An Act To Be Entitled	
11	AN ACT TO DEFINE "TERMINATE" AS THAT TERM APPLIES TO	
12	ELIGIBILITY FOR RETIREMENT UNDER THE ARKANSAS PUBLIC	
13	EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.	
14		
15		
16		Subtitle
17	ТО	DEFINE TERMINATE AS THAT TERM APPLIES TO
18	EL	IGIBILITY FOR RETIREMENT UNDER THE
19	AR	KANSAS PUBLIC EMPLOYEES' RETIREMENT
20	SY	STEM.
21		
22		
23	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
24		
25	SECTION 1. A	ckansas Code § 24-4-520, concerning termination
26	requirements for ret	irement, is amended to add a new subsection to read as
27	follows:	
28	<u>(e)(1) As use</u>	ed in this section, "terminate" means:
29	<u>(</u>]	A) The member's employment has ended;
30	<u>(</u>]	3) A complete severance of the employer-employee
31	relationship has occurred; and	
32	<u>((</u>	C) The member has ceased performing any services for the
33	employer, except for non-compensated functions related to the transfer of the	
34	duties or the transfer of the position itself.	
35	(2) If the member is an elected public official, "terminate" as	
36	used in this section	n means:



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1	(A) The member has resigned, been removed, or otherwise no		
2	longer holds the elected position;		
3	(B) A complete severance from the elected position has		
4	occurred; and		
5	(C) The member has ceased performing any services in his		
6	or her elected position, except for non-compensated functions related to the		
7	transfer of the duties or the transfer of the position itself.		
8	(3) As used in this section, "terminate" does not mean:		
9 10	<u>(A) Taking a leave of absence;</u> (B) Performing job duties or services without		
10	remuneration; or		
12	(C) Receiving or accruing additional employment related		
13	compensation, reimbursements, benefits, or other emoluments.		
14	<u></u>		
15	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the		
16	General Assembly of the State of Arkansas that recent reports indicate that		
17	some members of the Arkansas Public Employees' Retirement System were merely		
18	taking themselves off of the payroll for the specified period of time while		
19	continuing to perform their duties so that they could draw retirement in		
20	addition to their wages; that clarification is needed to prevent this from		
21	happening; and that this clarification is needed immediately. Therefore, an		
22	emergency is declared to exist and this act being immediately necessary for		
23	the preservation of the public peace, health, and safety shall become		
24	effective on:		
25	(1) The date of its approval by the Governor;		
26	(2) If the bill is neither approved nor vetoed by the Governor,		
27	the expiration of the period of time during which the Governor may veto the		
28	bill; or		
29	(3) If the bill is vetoed by the Governor and the veto is		
30	overridden, the date the last house overrides the veto.		
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32	/s/Kerr		
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