

State of Arkansas
88th General Assembly
Regular Session, 2011

As Engrossed: H3/3/11 H3/11/11

A Bill

HOUSE BILL 1146

By: Representative Kerr

For An Act To Be Entitled

AN ACT TO RESTRICT THE AMOUNT OF CREDITED SERVICE
EARNED BY A LOCAL ELECTED PUBLIC OFFICIAL TO ONE (1)
YEAR OF RETIREMENT CREDIT FOR EVERY YEAR WORKED
UNLESS ADDITIONAL CONTRIBUTIONS ARE PROVIDED; TO
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO RESTRICT THE AMOUNT OF CREDITED
SERVICE EARNED BY A LOCAL ELECTED PUBLIC
OFFICIAL UNLESS ADDITIONAL CONTRIBUTIONS
ARE PROVIDED AND TO DECLARE AN EMERGENCY.

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

*SECTION 1. Arkansas Code § 24-4-521(b)(5), concerning credited
service, is amended to read as follows:*

*(5)(A) Noncontributory employment as an elected public official ~~other
than Governor or an elected state constitutional officer or a member of the
General Assembly or an elected public official under the state division of
the system~~ covered by the system and:*

*(i) Who has served in an elected position covered by the
system before July 1, 2011, shall be credited as service at two (2) times the
regular rate for crediting service; or*

*(ii) Who has never served in an elected position covered
by the system before July 1, 2011, shall be credited as service at two (2)
times the regular rate for crediting service and the employee shall
contribute an additional five percent (5%) of the gross payroll for the*



1 additional service that exceeds the regular rate of service.

2 (B) However, ~~except that~~ at least five (5) years of actual
3 service shall be required to meet:

4 (i) ~~the~~ The retirement eligibility requirements of §§ 24-
5 4-601 and 24-4-510 – 24-4-512; and

6 (ii) ~~at least five (5) years of actual service shall be~~
7 ~~required to meet the~~ The eligibility requirements of § 24-4-608.

8 (C) This subdivision (b)(5) does not apply to:

9 (i) The Governor;

10 (ii) An elected state constitutional officer;

11 (iii) A member of the General Assembly; or

12 (iv) An elected public official under the State Division
13 of the Arkansas Public Employees' Retirement System.

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15 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that the nation is in an economic
17 downturn; that the Arkansas Public Employees' Retirement System has suffered
18 significant losses in its portfolio; that allowing elected public officials
19 to accrue two (2) years of service for every year worked costs the system
20 additional funds; and that all other employees in the Arkansas Public
21 Employees' Retirement System receive one (1) year of service for every year
22 worked. Therefore, an emergency is declared to exist and this act being
23 necessary for the preservation of the public peace, health, and safety shall
24 become effective on July 1, 2011.

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26 /s/Kerr
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