

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/23/11

A Bill

HOUSE BILL 1259

5 By: Representative Nickels
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE LARGE MUNICIPALITIES TO PARTICIPATE
9 IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM
10 FOR ALL NEWLY HIRED EMPLOYEES AND ALL NEWLY ELECTED
11 PUBLIC OFFICIALS AND TO ALLOW CURRENT EMPLOYEES TO
12 OPT INTO THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT
13 SYSTEM; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO REQUIRE LARGE MUNICIPALITIES TO
17 PARTICIPATE IN THE PUBLIC RETIREMENT
18 SYSTEM FOR ALL NEW EMPLOYEES AND NEW
19 PUBLIC OFFICIALS AND TO ALLOW CURRENT
20 EMPLOYEES TO OPT INTO THE PUBLIC SYSTEM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 24-4-303, concerning a municipality's
27 membership in the Arkansas Public Employees' Retirement System, is amended to
28 add a new subsection to read as follows:

29 (d) Beginning January 1, 2012, a municipality that has a retirement
30 plan under § 24-12-101 et seq., and has a population of one hundred thousand
31 (100,000) or more according to the most recent federal decennial census
32 shall:

33 (1) Include all newly hired employees and newly elected public
34 officials in the membership of the Arkansas Public Employees' Retirement
35 System; and

36 (2) Allow current employees and current elected public officials



1 participating in a 401(a) plan, established under Internal Revenue Code, 26
2 U.S.C. § 401(a), or a 401(k) plan, established under Internal Revenue Code,
3 26 U.S.C. § 401(k), to elect to continue participation in the municipality's
4 retirement plan or to establish participation in the Arkansas Public
5 Employees' Retirement System by:

6 (A) Purchasing service credit:

7 (i) From the municipality's retirement plan to
8 transfer into the system; or

9 (ii) In a prorated amount by rolling over a 401(a),
10 established under Internal Revenue Code, 26 U.S.C. § 401(a), or a 401(k),
11 established under Internal Revenue Code, 26 U.S.C. § 401(k), into the system;
12 and

13 (B) Notifying the system in writing of the election to
14 participate in the system in a form determined acceptable by the system.

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16 */s/Nickels*
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