

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Representative Kerr

A Bill

HOUSE BILL 1123

For An Act To Be Entitled

8 AN ACT TO RESTRICT THE AMOUNT OF CREDITED SERVICE
9 EARNED BY A CONTRIBUTORY LOCAL ELECTED PUBLIC
10 OFFICIAL TO ONE (1) YEAR OF RETIREMENT CREDIT FOR
11 EVERY YEAR WORKED UNLESS ADDITIONAL CONTRIBUTIONS ARE
12 PROVIDED; TO MAKE TECHNICAL CORRECTIONS; AND FOR
13 OTHER PURPOSES.

Subtitle

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15
16 TO RESTRICT THE AMOUNT OF CREDITED
17 SERVICE EARNED BY A CONTRIBUTORY LOCAL
18 ELECTED PUBLIC OFFICIAL TO ONE (1) YEAR
19 OF RETIREMENT CREDIT FOR EVERY YEAR
20 WORKED UNLESS ADDITIONAL CONTRIBUTIONS
21 ARE PROVIDED.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code § 24-4-521 is amended to read as follows:
28 24-4-521. Credited service generally.

29 (a) The Board of Trustees of the Arkansas Public Employees' Retirement
30 System shall establish the amounts of service to be credited its members
31 subject to the provisions of subsection (b) of this section.

32 (b)(1)(A) (i) Noncontributory or contributory employment service by a
33 person who was:

34 (a) ~~employed~~ Employed prior to July 1, 1997,
35 as a public safety member shall be credited at one and one-half (1½) times
36 the regular rate for crediting service; and



1 ~~(b) employment service by persons employed~~
 2 Employed on and after July 1, 1997, shall be credited at the regular rate for
 3 crediting service.

4 ~~(ii) except that at least A person receiving credit~~
 5 for service under subdivisions (b)(1)(A)(i) or (b)(1)(A)(ii) of this section
 6 shall have five (5) years of actual service ~~shall be required~~ to meet the:

7 ~~(a) retirement~~ Retirement eligibility
 8 requirements ~~of~~ under §§ 24-4-601 and 24-4-510 – 24-4-512; and

9 ~~(b) at least five (5) years of actual service~~
 10 ~~shall be required to meet the eligibility~~ Eligibility requirements for
 11 payment upon death benefits ~~of~~ under § 24-4-608.

12 (B)(i) Noncontributory or contributory employment service
 13 by a person who qualifies as a public safety member under § 24-4-1004 shall
 14 be credited at one and one-half (1½) times the regular rate for crediting
 15 service.

16 ~~(ii) However, that at least A person receiving~~
 17 credit for service under subdivision (b)(1)(B)(i) of this section shall have
 18 five (5) years of actual service ~~shall be required~~ to meet the:

19 ~~(a) retirement~~ Retirement eligibility
 20 requirements ~~of~~ under §§ 24-4-601 and 24-4-510 – 24-4-512; and

21 ~~(b) at least five (5) years of actual service~~
 22 ~~shall be required to meet the eligibility~~ Eligibility requirements of § 24-4-
 23 608.

24 (2)(A)(i) Noncontributory or contributory employment as the
 25 Governor by a person first elected to a public office covered by the Arkansas
 26 Public Employees' Retirement System prior to July 1, 1999, shall be credited
 27 as service at three (3) times the regular rate for credited service.

28 (ii) Noncontributory or contributory employment as
 29 the Governor by a person first elected to a public office covered by the
 30 system on or after July 1, 1999, shall be credited at the regular rate for
 31 crediting service.

32 (B) ~~However, A person receiving credit for service under~~
 33 subdivisions (2)(A)(i) or (2)(A)(ii) of this section shall have:

34 ~~(i) at least four~~ Four (4) years of actual service
 35 ~~shall be required~~ to meet the retirement eligibility requirements ~~of~~ under §§
 36 24-4-601 and 24-4-510 – 24-4-512; and

1 (ii) ~~at least five~~ Five (5) years of actual service
 2 ~~shall be required~~ to meet the eligibility requirements for payment upon death
 3 benefits of under § 24-4-608.

4 (3)(A)(i) Noncontributory or contributory employment as an
 5 elected state constitutional officer by a person first elected to a public
 6 office covered by the system prior to July 1, 1999, shall be credited at two
 7 and one-half (2½) times the regular rate for crediting service.

8 (ii) Noncontributory or contributory employment as
 9 an elected state constitutional officer by a person first elected to a public
 10 office covered by the system on or after July 1, 1999, shall be credited at
 11 the regular rate for crediting service.

12 (B) ~~However,~~ A person receiving credit for service under
 13 subdivision (3)(A)(i) of this section shall have at least five (5) years of
 14 actual service ~~shall be required~~ to meet the:

15 (i) ~~retirement~~ Retirement eligibility requirements
 16 of under §§ 24-4-601 and 24-4-510 – 24-4-512; and

17 (ii) ~~at least five (5) years of actual service shall~~
 18 ~~be required to meet the eligibility~~ Eligibility requirements for payment of
 19 death benefits of under § 24-4-608.

20 (4)(A)(i) Noncontributory or contributory employment as a member
 21 of the General Assembly shall be credited at the regular rate for crediting
 22 service; and

23 (ii) ~~except that at least~~ A person receiving credit
 24 for service under subdivision (4)(A)(i) of this section shall have:

25 (a) ~~ten~~ Ten (10) years of actual service ~~shall~~
 26 ~~be required~~ to meet the retirement eligibility requirements of §§ 24-4-510,
 27 24-4-511, and 24-4-609; and

28 (b) ~~at least five~~ Five (5) years of actual
 29 service ~~shall be required~~ to meet the eligibility requirements for the
 30 payment upon death benefits of under § 24-4-608.

31 (B) A member of the General Assembly who at any time has
 32 served at least six (6) months during a two-year term in the General Assembly
 33 shall be credited with no more than one (1) year's actual service.

34 (5)(A) ~~Noncontributory employment~~ A person who is employed as an
 35 elected public official covered by the system and:

36 (i) Who has served in ~~an~~ a noncontributory elected

1 position covered by the system before July 1, 2011, shall be credited as
 2 service at two (2) times the regular rate for crediting service; ~~or~~

3 (ii) Who has never served in ~~an~~ a noncontributory
 4 elected position covered by the system before July 1, 2011, shall be credited
 5 as service at two (2) times the regular rate for crediting service, and the
 6 employee shall contribute an additional two and one-half percent (2.5%) of
 7 the gross payroll, and the employer shall contribute an additional two and
 8 one-half percent (2.5%) of the gross payroll for the additional service that
 9 exceeds the regular rate of service; or

10 (iii) Who has never served in a contributory elected
 11 position covered by the system before January 1, 2014, shall be credited as
 12 service at two (2) times the regular rate for crediting service, and the
 13 employee shall contribute an additional two and one-half percent (2.5%) of
 14 the gross payroll, and the employer shall contribute an additional two and
 15 one-half percent (2.5%) of the gross payroll for the additional service that
 16 exceeds the regular rate of service.

17 (B) However, at least five (5) years of actual service
 18 shall be required to meet:

19 (i) The retirement eligibility requirements of §§
 20 24-4-601 and 24-4-510 – 24-4-512; and

21 (ii) The eligibility requirements of § 24-4-608.

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

23 (i) The Governor;

24 (ii) An elected state constitutional officer;

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

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

28 (6)(A)(i) Noncontributory or contributory employment as an
 29 elected public official under the state division of the system other than the
 30 Governor ~~or,~~ an elected state constitutional officer, or a member of the
 31 General Assembly by a person first elected to a public office covered by the
 32 Arkansas Public Employees' Retirement System prior to July 1, 1999, shall be
 33 credited as service at two (2) times the regular rate for crediting service; or

34 (ii) ~~except that at least~~ A person receiving credit
 35 for service under subdivisions (6)(A)(i) of this section shall have five (5)
 36 years of actual service ~~shall be required~~ to meet the:

1 (a) ~~retirement~~ Retirement eligibility
 2 requirements of under §§ 24-4-601 and 24-4-510 – 24-4-512~~r~~i; and

3 (b) ~~at least five (5) years of actual service~~
 4 ~~shall be required to meet the eligibility~~ Eligibility requirements for
 5 payment upon death benefits of under § 24-4-608.

6 (B) Noncontributory or contributory employment as an
 7 elected public official under the state division of the system other than the
 8 Governor ~~or~~, an elected state constitutional officer~~, or a member of the
 9 General Assembly by a person first elected to a public office covered by the
 10 system on or after July 1, 1999, shall be credited at the regular rate for
 11 crediting service.~~

12 (c) As used in this section, “elected state constitutional officer”
 13 means the Lieutenant Governor, Attorney General, Secretary of State, Auditor
 14 of State, Treasurer of State, and Commissioner of State Lands.

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 16 Section 2. EFFECTIVE DATE. This act is effective on and after January
 17 1, 2014.

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