

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H2/18/13

A Bill

HOUSE BILL 1135

5 By: Representative Lenderman
6

For An Act To Be Entitled

8 AN ACT TO ALLOW ELIGIBLE SURVIVORS TO RECEIVE
9 BENEFITS FROM THE ARKANSAS TEACHER RETIREMENT SYSTEM
10 FROM THE DATE THAT AN APPLICATION FOR SURVIVOR
11 BENEFITS IS FILED WITH THE SYSTEM; TO CLARIFY THE
12 DATE ON WHICH A SURVIVING SPOUSE MAY BEGIN RECEIVING
13 BENEFITS; TO DECLARE AN EMERGENCY; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO ALLOW ELIGIBLE SURVIVORS TO RECEIVE
19 BENEFITS FROM THE DATE AN APPLICATION FOR
20 SURVIVOR BENEFITS IS FILED; TO CLARIFY
21 SURVIVING SPOUSE BENEFITS; AND TO DECLARE
22 AN EMERGENCY.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 *SECTION 1. Arkansas Code § 24-7-710(a), concerning survivor annuity*
28 *benefits, is amended to read as follows:*

29 *(a)(1) If an active member with five (5) or more years of actual ~~and~~*
30 *~~reciprocal~~ service, including credited service for the year immediately*
31 *preceding his or her death, dies before the receipt of retirement benefits*
32 *from the Arkansas Teacher Retirement System, then the benefits provided in*
33 *this section shall be paid to eligible survivors.*

34 (2) An eligible survivor is entitled to receive benefits from
35 the date that an application for survivor benefits for the eligible survivor
36 is filed with the system.



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2 SECTION 2. Arkansas Code § 24-7-710(b)(1)(B) and (C), concerning
3 survivor annuity benefits, is amended to read as follows:

4 (B) The surviving spouse's benefits shall begin in the
5 month ~~following the month of the member's death~~ the system receives a
6 completed application for the surviving spouse's benefits if at the time of
7 the member's death the member had:

8 (i) Accumulated twenty-five (25) years or more of
9 credited service and qualified as eligible to receive a retirement annuity
10 under §§ 24-7-701 and 24-7-702; or

11 (ii) Reached sixty (60) years of age and qualified
12 as eligible to receive a retirement annuity under § 24-7-707.

13 (C) If the surviving spouse is not eligible to receive
14 benefits under subdivision (b)(1)(B) of this section, the surviving spouse's
15 benefits shall begin ~~in~~ the later of either the month following the date the
16 member would have been eligible to receive benefits had the member survived
17 or the date that an application for a surviving spouse's benefits is filed
18 with the system.

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20 SECTION 3. Arkansas Code § 24-7-710(e), concerning survivor annuity
21 benefits, is repealed.

22 ~~(e) Annuities payable under this section shall begin the first day of~~
23 ~~the calendar month following the date the survivor annuity is payable as~~
24 ~~provided in this section.~~

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26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly of the State of Arkansas that provisions of the Arkansas
28 Teacher Retirement System Act are in need of revision and updating to
29 maintain the act in conformance with sound public pension policy; that the
30 Arkansas Teacher Retirement System operates on a July 1 to June 30 fiscal
31 year; and that these provisions are necessary to provide proper
32 administration to benefits to begin on the first day of the fiscal year; that
33 such revisions and updating are of great importance for actuarial purposes
34 and to protect the benefits for members of the Arkansas Teacher Retirement
35 System. Therefore, an emergency is declared to exist, and this act being
36 necessary for the preservation of the public peace, health, and safety shall

1 become effective on July 1, 2013.

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/s/Lenderman

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