

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

# A Bill

SENATE BILL 191

5 By: Senator D. Johnson  
6 By: Representatives Williams, Vines  
7

## For An Act To Be Entitled

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9  
10 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 24,  
11 CONCERNING PUBLIC RETIREMENT AND PENSION LAW, OF THE  
12 ARKANSAS CODE; AND FOR OTHER PURPOSES.  
13

## Subtitle

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15  
16 TO MAKE TECHNICAL CORRECTIONS TO TITLE  
17 24, CONCERNING PUBLIC RETIREMENT AND  
18 PENSION LAW, OF THE ARKANSAS CODE.  
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20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 24-5-118(a)(2)(A)(i)(d), concerning annuity  
24 options under the Arkansas State Highway Employees' Retirement System, is  
25 amended to read as follows to correct an internal reference:

26 (d) This subdivision (a)(2)(~~B~~)(~~i~~)(A)(i) ~~shall apply~~ applies to all  
27 members and retirants.  
28

29 SECTION 2. Arkansas Code § 24-7-205(c), concerning the correction of  
30 errors under the Arkansas Teacher Retirement System, is amended to read as  
31 follows to clarify the wording:

32 (c)(1) A As used in this subsection, "system action" means a system-  
33 initiated determination, review, administrative action, cause of action, or  
34 request to enforce, change, or modify an obligation, duty, benefit  
35 calculation, designation, refund, contribution, service credit, or other  
36 right arising under this subchapter ~~shall not be valid unless commenced~~



1 ~~within the look-back period unless the system determines that the~~  
2 ~~justification to commence the process is due to intentional nondisclosure,~~  
3 ~~fraud, misrepresentation, or criminal act.~~

4 (2) Except as provided in subdivision (c)(3) of this section, a  
5 system action must commence within the look-back period, or it is invalid.

6 (3) A system action commenced beyond the look-back period is  
7 valid if the system determines that the system action is justified by  
8 intentional nondisclosure, fraud, misrepresentation, or criminal act.

9  
10 SECTION 3. Arkansas Code § 24-10-102(28), concerning the definition of  
11 "political subdivision" under the Arkansas Local Police and Fire Retirement  
12 System, is amended to read as follows to use the preferred singular noun  
13 form:

14 (28) "Political subdivision" means:

- 15 (A) ~~Incorporated towns~~ An incorporated town;
- 16 (B) ~~Cities~~ A city of the first class;
- 17 (C) ~~Cities~~ A city of the second class;
- 18 (D) ~~Counties~~ A county;
- 19 (E) ~~Fire~~ A fire protection ~~districts~~ district that
- 20 ~~maintain~~ maintains standards established by the board;
- 21 (F) ~~Rural~~ A rural fire protection ~~corporations~~
- 22 corporation; and
- 23 (G) ~~Suburban~~ A suburban improvement ~~districts~~ district;

24  
25 SECTION 4. Arkansas Code § 24-11-213(c)(2), concerning apportionment  
26 of revenues to the Firemen's and Police Officers' Pension and Relief Fund, is  
27 amended to read as follows to correct a reference to a fund:

28 (2) The remaining percentage shall be distributed to the General  
29 Revenue Fund Account of the State Apportionment Fund.

30  
31 SECTION 5. Arkansas Code § 24-11-801(a)(4)(B), concerning the  
32 definition of "member" in relation to the qualifications required for  
33 membership on a board of trustees of a firemen's pension and relief fund, is  
34 amended to read as follows to clarify the wording:

35 (B)~~(i)~~ As used in this section, "member" includes an  
36 active or retired member of the fund-

1                                    ~~(ii) "Member"~~ but does not include a beneficiary of  
2 the fund.

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4                    SECTION 6. DO NOT CODIFY. The enactment and adoption of this act  
5 shall not repeal, expressly or impliedly, the acts passed at the regular  
6 session of the Eighty-Ninth General Assembly. All such acts shall have the  
7 full force and effect and, so far as those acts intentionally vary from or  
8 conflict with any provision contained in this act, those acts shall have the  
9 effect of subsequent acts and as amending or repealing the appropriate parts  
10 of the Arkansas Code of 1987.