

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Senator B. Sample

A Bill

SENATE BILL 202

For An Act To Be Entitled

8 AN ACT TO ALLOW CERTAIN MEMBERS OF THE GENERAL
9 ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE ARKANSAS
10 PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN
11 EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

15 TO ALLOW CERTAIN MEMBERS OF THE GENERAL
16 ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE
17 ARKANSAS PUBLIC EMPLOYEES' RETIREMENT
18 SYSTEM AND TO DECLARE AN EMERGENCY.

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

23 SECTION 1. Arkansas Code § 24-4-301(a)(2), concerning membership in
24 the Arkansas Public Employees' Retirement System as a condition of
25 employment, is amended to add an additional subdivision to read as follows:

26 (C) Beginning July 1, 2013, a person may opt out of
27 membership in the system if the person is a member of the General Assembly
28 and is;

29 (i) Retired from a reciprocal system as defined in §
30 24-2-401; or

31 (ii) An active member of the system in a position in
32 addition to service in the General Assembly.

34 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly of the State of Arkansas that members of the General
36 Assembly are required to become members of the Arkansas Public Employees'



1 Retirement System; that members of the General Assembly are required to have
2 ten (10) or more years of actual service to be eligible for benefits under
3 the system; that some members of the General Assembly are retired from other
4 reciprocal systems in the state and may not serve as public employees under
5 the system for ten (10) or more years; that the state is making contributions
6 on behalf of these members of the General Assembly; that it is in the best
7 interests of the state to allow certain members of the General Assembly to
8 opt out of membership in the system; and that this act is necessary because
9 the ideal time to make revisions to the system is at the beginning of the
10 fiscal year, which starts on July 1 of each year. Therefore, an emergency is
11 declared to exist, and this act being necessary for the preservation of the
12 public peace, health, and safety shall become effective on July 1, 2013.

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