

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H1/31/17*

# A Bill

HOUSE BILL 1187

5 By: Representative Bragg  
6 By: Senator T. Garner  
7

## For An Act To Be Entitled

9 *AN ACT TO CREATE AN EXCEPTION FOR ESSENTIAL SEASONAL*  
10 *STAFF OF THE ARKANSAS FORESTRY COMMISSION, THE*  
11 *ARKANSAS LIVESTOCK AND POULTRY COMMISSION, OR THE*  
12 *STATE PLANT BOARD WHO ARE PARTICIPANTS IN THE*  
13 *ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM DEFERRED*  
14 *RETIREMENT OPTION PLAN; AND FOR OTHER PURPOSES.*

## Subtitle

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18 *TO CREATE AN EXCEPTION FOR CERTAIN*  
19 *ESSENTIAL SEASONAL STAFF WHO ARE*  
20 *PARTICIPANTS IN THE ARKANSAS PUBLIC*  
21 *EMPLOYEES' RETIREMENT SYSTEM DEFERRED*  
22 *RETIREMENT OPTION PLAN.*

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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 § 24-4-804(c), concerning cessation of  
28 participation, is amended to read as follows:

29 (c)(1) When a member's participation in the Arkansas Public Employees'  
30 Retirement System Deferred Retirement Option Plan ceases, that member is not  
31 eligible for employment in any position covered by the plans identified in §  
32 24-2-401(3), except as provided for in § 24-4-520.

33 (2)(A) This section does not apply to a member who was an  
34 employee of the Arkansas Forestry Commission, the Arkansas Livestock and  
35 Poultry Commission, or the State Plant Board, and who is a participant in the  
36 Arkansas Public Employees' Retirement System Deferred Retirement Option Plan



1 who may be eligible for reemployment after satisfying the separation  
2 requirements of § 24-4-520(b) as an essential seasonal staff member with the  
3 Arkansas Forestry Commission, the Arkansas Livestock and Poultry Commission,  
4 or the State Plant Board.

5 (B) As used in subdivision (c)(2)(A) of this section,  
6 "essential seasonal staff member" means an employee of the Arkansas Forestry  
7 Commission, the Arkansas Livestock and Poultry Commission, or the State Plant  
8 Board who:

9 (i) Has specialized knowledge, skill, or training  
10 pertaining to necessary duties or tasks to be completed by the Arkansas  
11 Forestry Commission, the Arkansas Livestock and Poultry Commission, or the  
12 State Plant Board in times of emergency, disaster clean up, extreme weather,  
13 or other circumstances deemed pressing by the Arkansas Forestry Commission,  
14 the Arkansas Livestock and Poultry Commission, or the State Plant Board; and

15 (ii) Is employed by the Arkansas Forestry  
16 Commission, the Arkansas Livestock and Poultry Commission, or the State Plant  
17 Board on a part-time basis:

18 (a) During times of emergency, disaster clean-  
19 up, extreme weather, or other circumstances deemed pressing by the Arkansas  
20 Forestry Commission, the Arkansas Livestock and Poultry Commission, or the  
21 State Plant Board; or

22 (b) As an instructor to train other staff for  
23 times of emergency, disaster clean-up, extreme weather, or other  
24 circumstances deemed pressing by the Arkansas Forestry Commission, the  
25 Arkansas Livestock and Poultry Commission, or the State Plant Board.

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27 /s/Bragg  
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