

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

# A Bill

HOUSE BILL 1258

5 By: Representatives Gillam, Davis, Ballinger, House, Eubanks, Vaught, Sturch, Wardlaw, D. Douglas,  
6 Branscum, Pitsch, Sullivan, M. Gray, Cozart, Fortner, Maddox, Capp, Coleman, Warren, Ladyman  
7 By: Senators Rice, D. Wallace  
8

## For An Act To Be Entitled

10 AN ACT TO AMEND THE LAW CONCERNING MEMBERSHIP AND  
11 VACANCIES ON THE BOARD OF TRUSTEES OF THE ARKANSAS  
12 PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN  
13 EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

16 TO AMEND THE LAW CONCERNING MEMBERSHIP  
17 AND VACANCIES ON THE BOARD OF TRUSTEES OF  
18 THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT  
19 SYSTEM; AND TO DECLARE AN EMERGENCY.  
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 24-4-104(b)(2), concerning the appointment  
26 and service term of members of the Board of Trustees of the Arkansas Public  
27 Employees' Retirement System, is amended to read as follows:

28 (2)(A) Three (3) members who are state employees and three (3)  
29 members who are nonstate employees to be appointed by the Governor; ~~each~~  
30 ~~nonstate employee trustee and.~~

31 (B) ~~each~~ Each nonstate employee trustee and each state  
32 employee trustee shall have at least ~~ten (10)~~ five (5) continuous years of  
33 service with a public employer or employers, and shall be a member ~~or retired~~  
34 ~~member~~ of the system.  
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36 SECTION 2. Arkansas Code § 24-4-104(c)(2), concerning vacancies on the



1 Board of Trustees of the Arkansas Public Employees' Retirement System, is  
2 amended to read as follows:

3 ~~(2)(A) If any state employee trustee leaves the employ of the~~  
4 ~~state or if any nonstate employee trustee leaves the employ of a~~  
5 ~~participating public employer, the board shall, by a majority of the~~  
6 ~~membership of the board, fill the vacancy for the remainder of the unexpired~~  
7 ~~term by appointment of a state employee member or a nonstate employee member,~~  
8 ~~as the case may be. If a nonstate employee trustee leaves the employ of a~~  
9 ~~participating public employer or a state employee trustee leaves or retires~~  
10 ~~from state employment, the Governor shall declare a vacancy on the board.~~

11 (B) The Governor shall appoint a state employee member or  
12 a nonstate employee member to fill the vacancy for the remainder of the  
13 unexpired term within thirty (30) days of the date on which the vacancy is  
14 declared.

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16 SECTION 3. DO NOT CODIFY. This act applies to a member currently  
17 serving on the Board of Trustees of the Arkansas Public Employees' Retirement  
18 System as of the effective date of this act.

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20 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
21 Assembly of the State of Arkansas that when a vacancy occurs in the Arkansas  
22 Public Employees' Retirement System, the Governor must be able to immediately  
23 appoint a trustee to fill the vacancy; that on the effective date of this  
24 act, the provisions of this act should apply to the current members of the  
25 board; and that this act shall become effective immediately in order to  
26 maintain the stability of the system and to avoid undue harm to the members  
27 and benefit recipients of the system. Therefore, an emergency is declared to  
28 exist, and this act being immediately necessary for the preservation of the  
29 public peace, health, and safety shall become effective on:

30 (1) The date of its approval by the Governor;

31 (2) If the bill is neither approved nor vetoed by the Governor,  
32 the expiration of the period of time during which the Governor may veto the  
33 bill; or

34 (3) If the bill is vetoed by the Governor and the veto is  
35 overridden, the date the last house overrides the veto.

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