

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 7

5 By: Senator B. Sample
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING DEFERRED
9 RETIREMENT OPTION PLANS AND INTERNAL REVENUE CODE-
10 QUALIFIED PLANS OF FIREMEN'S RELIEF AND PENSION FUNDS
11 AND POLICEMEN'S PENSION AND RELIEF FUNDS; TO DECLARE
12 AN EMERGENCY; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND THE LAW CONCERNING DEFERRED
16 RETIREMENT OPTION PLANS AND INTERNAL
17 REVENUE CODE-QUALIFIED PLANS OF FIREMEN'S
18 RELIEF AND PENSION FUNDS AND POLICEMEN'S
19 PENSION AND RELIEF FUNDS; AND TO DECLARE
20 AN EMERGENCY.
21
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 24-11-210(f), concerning the requirements
27 for plans qualified under the Internal Revenue Code, is amended to read as
28 follows:

29 (f) Distributions of benefits ~~must~~ shall begin ~~not~~ no later than April
30 1 of the year following the calendar year during which the member becomes
31 ~~seventy and one half (70½)~~ seventy-two (72) years of age or terminates
32 employment with the employer, whichever is later, and ~~must~~ shall otherwise
33 conform to the Internal Revenue Code, 26 U.S.C. § 401(a)(9).
34

35 SECTION 2. Arkansas Code § 24-11-434(f)(4), concerning the policemen's
36 pension and relief fund deferred retirement option plan, is amended to read



1 as follows:

2 (4)(A) The payment of funds accumulated while participating in
3 the deferred retirement option plan may be deferred only one (1) time.

4 (B) These funds ~~must~~ shall be distributed or annuitized by
5 ~~December 31 of the year a member attains age seventy and one half (70 1/2)~~
6 April 1 of the year following the calendar year in which a member becomes
7 seventy-two (72) years of age.

8
9 SECTION 3. Arkansas Code § 24-11-830(f)(4), concerning the firemen’s
10 relief and pension fund deferred retirement option plan, is amended to read
11 as follows:

12 (4)(A) The payment of funds accumulated while participating in
13 the deferred retirement option plan may be deferred only one (1) time.

14 (B) These funds ~~must~~ shall be distributed or annuitized by
15 ~~December 31 of the year a member attains age seventy and one half (70 1/2)~~ April
16 1 of the year following the calendar year in which a member becomes seventy-
17 two (72) years of age.

18
19 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly of the State of Arkansas that the Firemen’s Relief and
21 Pension Funds and the Policemen’s Pension and Relief Funds must be able to
22 meet the needs of its members; that these statutes are imminently in need of
23 revision and updating in order to conform with competent public pension
24 policy; that the Firemen’s Relief and Pension Funds and the Policemen’s
25 Pension and Relief Funds operate on a fiscal year of July 1 to June 30; that
26 a July 1, 2021 effective date is necessary to allow the provisions within
27 this act to begin on the first day of the fiscal year to provide proper
28 administration of the procedures referenced in this act; that the updates and
29 revisions to the Firemen’s Relief and Pension Funds and the Policemen’s
30 Pension and Relief Funds are of great importance for actuarial purposes and
31 the protection of member benefits; and that this act is immediately necessary
32 in order to maintain an orderly management of benefits for the members of the
33 Firemen’s Relief and Pension Funds and the Policemen’s Pension and Relief
34 Funds. Therefore, an emergency is declared to exist, and this act being
35 necessary for the preservation of the public peace, health, and safety shall
36 become effective on July 1, 2021.