

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 128

5 By: Senator Hickey
6 By: Representative Maddox
7

For An Act To Be Entitled

9 AN ACT TO AMEND AND UPDATE THE STATE POLICE
10 RETIREMENT SYSTEM LAWS TO PROVIDE FOR THE PROPER
11 ADMINISTRATION OF BENEFITS UNDER THE STATE POLICE
12 RETIREMENT SYSTEM; TO CORRECT THE EMPLOYER
13 CONTRIBUTION RATE UNDER THE STATE POLICE RETIREMENT
14 SYSTEM; TO AMEND THE EXCEPTIONS TO THE PROHIBITION
15 AGAINST SUBJECTION OF ANNUITY RIGHTS TO LEGAL
16 PROCESSES UNDER THE STATE POLICE RETIREMENT SYSTEM;
17 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

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21 TO CORRECT THE EMPLOYER CONTRIBUTION RATE
22 AND THE EXCEPTIONS TO THE PROHIBITION
23 AGAINST SUBJECTION OF ANNUITY RIGHTS TO
24 LEGAL PROCESSES UNDER THE STATE POLICE
25 RETIREMENT SYSTEM; AND TO DECLARE AN
26 EMERGENCY.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. Arkansas Code § 24-2-701(c)(2), concerning the employer
32 contribution rate under the State Police Retirement System, is amended to
33 read as follows:

34 (2) For the State Police Retirement System, ~~twenty-two percent~~
35 ~~(22%)~~ twenty-six percent (26%); and
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1 SECTION 2. Arkansas Code § 24-6-223(c), concerning exceptions to the
2 prohibition against subjection of annuity rights to legal processes, is
3 amended to read as follows:

4 (c) An exception to the prohibition against subjection of annuity
5 rights to any process of law applies to the following:

6 (1) The State of Arkansas shall have the right of setoff for any
7 claim arising from embezzlement by, or fraud of, a member, retirant, or
8 beneficiary.

9 (2) A court of competent jurisdiction of this state may order
10 the monthly benefit of a retirant to be paid into the registry of the court
11 for disposition as the court deems just and proper if the retirant is found
12 by the court to be willfully refusing or failing to support his or her minor
13 dependent children in violation of a court order providing for such support.
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15 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that certain provisions of the
17 State Police Retirement System law do not comport with existing laws
18 concerning the administration of benefits and are in need of revision and
19 updating to maintain the retirement laws in conformance with sound public
20 pension policy; that the State Police Retirement System operates on a fiscal
21 year of July 1 to June 30; that having a July 1, 2023 effective date is
22 necessary to allow the provisions within this act to begin on the first day
23 of the fiscal year in order to provide proper administration of the
24 procedures herein; that such revisions and updating are of great importance
25 for actuarial purposes and to protect the benefits of members of the State
26 Police Retirement System; and that it is necessary for this act to have a
27 July 1, 2023 effective date in order to maintain an orderly system of
28 benefits for the members of the State Police Retirement System. Therefore,
29 an emergency is declared to exist, and this act being necessary for the
30 preservation of the public peace, health, and safety shall become effective
31 on July 1, 2023.
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