

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

As Engrossed: S4/4/23

# A Bill

SENATE BILL 163

5 By: Senator J. Payton  
6 By: Representative Warren  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ADMINISTRATION OF  
10 THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO  
11 ALLOW A PUBLIC LIBRARY SYSTEM FORMED UNDER THE  
12 INTERLOCAL COOPERATION ACT TO BECOME A PARTICIPATING  
13 PUBLIC EMPLOYER AND FOR ITS EMPLOYEES TO BECOME  
14 MEMBERS OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT  
15 SYSTEM; AND FOR OTHER PURPOSES.  
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## Subtitle

19 TO ALLOW A PUBLIC LIBRARY SYSTEM FORMED  
20 UNDER THE INTERLOCAL COOPERATION ACT TO  
21 BECOME A PARTICIPATING PUBLIC EMPLOYER  
22 AND FOR ITS EMPLOYEES TO BECOME MEMBERS  
23 OF THE ARKANSAS PUBLIC EMPLOYEES'  
24 RETIREMENT SYSTEM.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. Arkansas Code § 24-4-101(27), concerning the definition of  
30 "nonstate employees" applicable to the Arkansas Public Employees' Retirement  
31 System, is amended to read as follows:

32 (27) "Nonstate employees" means county employees, municipal  
33 employees, rural waterworks facilities board employees, regional airport  
34 authority employees, border municipal airport employees, public facilities  
35 board employees, regional solid waste management board employees, joint  
36 county and municipal sanitation authority employees, the employees of a



1 public library system formed under the Interlocal Cooperation Act, § 25-20-  
2 101 et seq., regional water distribution board employees, the employees of  
3 economic development districts recognized as planning and development  
4 districts under § 14-166-202, school employees, public water authority  
5 employees, and the employees of the Intergovernmental Juvenile Detention  
6 Council;

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8 SECTION 2. Arkansas Code § 24-4-101(29)(A), concerning the definition  
9 of "participating public employer" applicable to the Arkansas Public  
10 Employees' Retirement System, is amended to read as follows:

11 (29) "Participating public employer" means:

12 (A) Any county, municipality, rural waterworks facilities  
13 board, regional airport authority, border municipal airport authority, public  
14 facilities board, regional solid waste management board, joint county and  
15 municipal sanitation authority, public library system formed under the  
16 Interlocal Cooperation Act, § 25-20-101 et seq., suburban improvement  
17 district under § 14-92-502, public water authority, or regional water  
18 distribution board in the state whose employees are included in the  
19 membership of the Arkansas Public Employees' Retirement System;

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21 SECTION 3. Arkansas Code § 24-4-101, concerning definitions applicable  
22 to the Arkansas Public Employees' Retirement System, is amended to add an  
23 additional subdivision to read as follows:

24 (48) "Public library system" means a public library system  
25 formed under the Interlocal Cooperation Act, § 25-20-101 et seq., that  
26 chooses to participate in the Arkansas Public Employees' Retirement System.

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28 SECTION 4. Arkansas Code § 24-4-202, concerning contributions to the  
29 Arkansas Public Employees' Retirement System Fund, is amended to add an  
30 additional subdivision to read as follows:

31 (j) In the event that a public library system formed under the  
32 Interlocal Cooperation Act, § 24-20-201 et seq., fails to pay required  
33 contributions for its employees under this chapter, the county that  
34 appropriates funds to support the public library system shall pay an amount  
35 to cover:

36 (1) Required employer and employee contributions on behalf of

1 those employees; and  
2 (2) The county's proportional funding of the public library  
3 system.

4 /s/J. Payton

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