

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

A Bill

SENATE BILL 78

5 By: Senator Hickey
6 By: Representative Dalby
7

For An Act To Be Entitled

9 AN ACT TO REMOVE THE REQUIREMENT FOR MEMBER
10 CONTRIBUTIONS TO THE ARKANSAS JUDICIAL RETIREMENT
11 SYSTEM IN THE EVENT THAT A JUDGE OR JUSTICE HAS
12 FORFEITED HIS OR HER RIGHTS TO RETIREMENT BENEFITS
13 FROM THE SYSTEM; TO ALLOW A JUDGE OR JUSTICE TO
14 RECEIVE THE PRINCIPAL OF THE BALANCE OF HIS OR HER
15 CONTRIBUTIONS TO THE ARKANSAS JUDICIAL RETIREMENT
16 SYSTEM IN THE EVENT THE JUDGE OR JUSTICE FORFEITS HIS
17 OR HER RIGHTS TO RETIREMENT BENEFITS FROM THE SYSTEM;
18 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

21 TO REMOVE THE REQUIREMENT FOR MEMBER
22 CONTRIBUTIONS TO THE ARKANSAS JUDICIAL
23 RETIREMENT SYSTEM IN THE EVENT THAT A
24 JUDGE OR JUSTICE HAS FORFEITED HIS OR HER
25 RIGHTS TO RETIREMENT BENEFITS FROM THE
26 SYSTEM; AND TO DECLARE AN EMERGENCY.
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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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32 SECTION 1. Arkansas Code § 24-8-209(a) and (b), concerning
33 contributions of members of the Arkansas Judicial Retirement System, are
34 amended to read as follows:

35 (a)(1) The contribution of each member of the Arkansas Judicial
36 Retirement System shall be six percent (6%) of each member's annual salary.



1 (2) A judge or justice who forfeits his or her rights to
2 retirement benefits under § 24-8-215(c) is not required to continue to pay
3 contributions to the system.

4 (b)(1) In the event a judge or justice ceases to be a member prior to
5 qualifying for retirement benefits, he or she shall be entitled to a refund
6 of all contributions paid by him or her into the system.

7 (2)(A) In the event a judge or justice forfeits his or her
8 rights to retirement benefits under § 24-8-215(c), the judge or justice is
9 entitled to receive the principal of the balance of his or her contributions
10 to the system.

11 (B) A judge or justice who forfeited his or her rights to
12 retirement benefits under § 24-8-215(c) is not entitled to any interest
13 accumulated from his or her contributions to the system.

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15 SECTION 2. Arkansas Code § 24-8-706(a), concerning the contribution
16 rate of members under the Tier Two Actual Judicial Service Benefit Plan, is
17 amended to read as follows:

18 (a)(1) The contribution of each member of the Tier Two Actual Judicial
19 Service Benefit Plan for the Arkansas Judicial Retirement System shall be
20 five percent (5%) of each member's annual salary.

21 (2)(A) A judge or justice who forfeits his or her rights to
22 retirement benefits under § 24-8-710(b) is not required to continue to pay
23 contributions to the system.

24 (B) In the event a judge or justice forfeits his or her
25 rights to retirement benefits under § 24-8-215(c), the judge or justice is
26 entitled to receiving the principal of the balance of his or her
27 contributions to the system.

28 (C) A judge or justice who forfeited his or her rights to
29 retirement benefits under § 24-8-215(c) is not entitled to any interest
30 accumulated from his or her contributions to the system.

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32 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly of the State of Arkansas that certain provisions of the
34 Arkansas Code concerning the Arkansas Judicial Retirement System, a state
35 retirement plan created by the General Assembly for the purpose of providing
36 retirement benefits to judges and justices of the state, are in need of

1 revision to conform to sound public pension policy; that the Arkansas
2 Judicial Retirement System operates through a fiscal year of July 1 to June
3 30; that having a July 1, 2023 effective date is necessary to allow the
4 provisions within this act to begin on the first day of the fiscal year in
5 order to provide proper administration of the procedures within this act;
6 that these revisions are of importance for actuarial purposes and to protect
7 the benefits to members of the Arkansas Judicial Retirement System; and that
8 the effect of this act is necessary in order to maintain an orderly system of
9 benefits for the members of the Arkansas Judicial Retirement System.
10 Therefore, an emergency is declared to exist, and this act being necessary
11 for the preservation of public peace, health, and safety shall become
12 effective on July 1, 2023.