

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 209

By: Senator Rapert
By: Representative Warren

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 24 OF
THE ARKANSAS CODE CONCERNING RETIREMENT AND PENSIONS;
AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 24
OF THE ARKANSAS CODE CONCERNING
RETIREMENT AND PENSIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 24-7-901 is amended to read as follows to remove unused defined terms, conform to Code style, and correct an obsolete reference:

24-7-901. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Alternate retirement plan" means a retirement plan based on the purchase of contracts providing retirement and death benefits for the instructors and administrative staff of the technical institutes or postsecondary vocational-technical schools of the State of Arkansas and the staff of the Department of ~~Workforce~~ Career Education and which has been approved by the ~~board~~ Career Education and Workforce Development Board;

~~(2) "Board" means the State Board of Workforce Education and Career Opportunities;~~

~~(3) "Department" means the Department of Workforce Education;~~

~~(4) "Director" means the Director of the Department of Workforce~~



~~Education;~~

~~(5)(2)~~ “Retirement system” means the Arkansas Teacher Retirement System;

~~(6)(3)~~ “School” means any technical institute or postsecondary vocational-technical school established pursuant to § 6-51-202 for the vocational training of students; and

~~(7)(4)~~ “Staff members” means both instructors and administrative staff of a technical institute or postsecondary vocational-technical school and the staff of the ~~Department of Workforce Education~~ department who are eligible for membership in the retirement system; ~~and~~

~~(8) “State” means the State of Arkansas.~~

SECTION 2. Arkansas Code § 24-7-904(a), concerning the establishment and administration of the alternate retirement plan, is amended to read as follows to correct an obsolete reference:

(a) ~~The State Board of Workforce Education and Career Opportunities~~ Career Education and Workforce Development Board may establish and maintain an alternate retirement plan which shall authorize the purchase of contracts providing retirement and death benefits for staff members.

SECTION 3. Arkansas Code § 24-7-905(c), concerning the agent for service of process in an action brought on a policy or contract, is amended to read as follows to correct an obsolete reference:

(c) In any action brought by a staff member on a policy or contract, any school, school official, or any member of the ~~State Board of Workforce Education and Career Opportunities~~ Career Education and Workforce Development Board shall be deemed to be the agent of the nonprofit company or insurance company only for the purpose of service of process on the contract or policy, and for no other purpose.

SECTION 4. Arkansas Code § 24-7-906(a), concerning the approval of companies and contracts, is amended to read as follows to correct an obsolete reference:

(a) ~~The State Board of Workforce Education and Career Opportunities~~ Career Education and Workforce Development Board shall approve the companies from which contracts are to be purchased under the alternate retirement plan

and shall approve the form and contents of the contracts.

SECTION 5. Arkansas Code § 24-7-908(a)(1), concerning contributions to retirement plans, is amended to read as follows to correct an obsolete reference:

(a)(1) The Department of ~~Workforce~~ Career Education shall contribute to the alternate retirement plan on behalf of each participating staff member an amount equal to the contribution made by the State of Arkansas for persons participating in the retirement system.

SECTION 6. Arkansas Code § 24-7-909 is amended to read as follows to correct an obsolete reference:

24-7-909. Extension of group insurance coverage by dependents of deceased eligible employee.

Upon the death of an insured eligible employee of an institution of higher education or of an insured eligible employee who is a member of the alternate retirement plan for employees of the ~~State Board of Workforce Education and Career Opportunities~~ Career Education and Workforce Development Board or of a person retired and receiving benefits under the alternate plan, the dependents of the deceased person shall have the same option to extend the group insurance coverage of the dependents under the state group insurance plan as is afforded dependents of other deceased insured employees and retirants.

SECTION 7. Arkansas Code § 24-8-408(a)(1)(D), is amended to read as follows to repeal a subdivision that was held unconstitutional as special legislation in Bd. of Trustees v. Beard, 273 Ark. 423, 620 S.W.2d 295 (1981).

(a)(1) Any clerk of a municipal court to which this subchapter applies, appointed by the judge or judges of the court, shall be eligible to receive retirement benefits provided by this subchapter who:

(A) Attains age sixty (60) and has served in office as clerk for at least ten (10) years;

(B) Attains age sixty-five (65) and has served in office for at least eight (8) years; or

(C) Has served in office for at least twenty (20) years, irrespective of age; ~~or.~~

~~(D) Has served twenty (20) or more consecutive years, irrespective of age, as a city employee for the city in which he or she clerks, with eight (8) or more of those years served in the office of municipal clerk.~~

SECTION 8. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Second General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Second General Assembly and this act:

(A) The act of the regular session of the Ninety-Second General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Second General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.

APPROVED: 2/11/19