

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

SENATE BILL 105

By: Senator B. Sample  
By: Representative Warren

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE MARRIAGE  
ELIGIBILITY REQUIREMENT FOR SURVIVOR ANNUITY BENEFITS  
UNDER THE ARKANSAS STATE HIGHWAY EMPLOYEES'  
RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING THE MARRIAGE  
ELIGIBILITY REQUIREMENT FOR SURVIVOR  
ANNUITY BENEFITS UNDER THE ARKANSAS STATE  
HIGHWAY EMPLOYEES' RETIREMENT SYSTEM; AND  
TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-5-118(a)(2)(A)(ii), concerning benefits and annuity options under the Arkansas State Highway Employees' Retirement System, is amended to read as follows:

(ii) Upon the retirant's death, one-half ( $\frac{1}{2}$ ) of the reduced annuity to which the retirant would have been entitled, if living, shall be paid to the surviving beneficiary for the remainder of his or her life, if the beneficiary was either the retirant's spouse for at least ~~two~~ one (1) year immediately preceding the first payment due date of the retired member's annuity or another person age forty (40) or older on the first payment due date receiving more than one-half ( $\frac{1}{2}$ ) of his or her support from the retirant for at least two (2) years immediately preceding the first



payment due date of the retired member's annuity.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that certain provisions of the law applicable to the Arkansas State Highway Employees' Retirement System are in urgent need of revision to bring the operations of the system into conformance with sound public pension policy; that amendments to the law in this act are of great importance to the citizens of this state; and that this act is necessary to maintain an orderly system of benefits for the members of the system. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2021.

**APPROVED: 2/23/21**