

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 162

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE TERMINATION PERIOD REQUIRED FOR RETIREMENT UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE TERMINATION PERIOD REQUIRED FOR RETIREMENT UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-4-520(b)(1), concerning the termination requirement for retirement eligibility under the Arkansas Public Employees' Retirement System, is amended to read as follows:

(b)(1) A member shall not be terminated from employment for retirement purposes if the person:

(A)(i) Returns to employment in a position covered under the system within one hundred eighty (180) days of the person's effective date of retirement.

(ii) Subdivision (b)(1)(A) of this section does not apply to a member of the system who returns to temporary employment with the House of Representatives, the Senate, the Bureau of Legislative Research, Arkansas Legislative Audit, or the Arkansas Code Revision Commission during a regular session, fiscal session, or special session in a session only



position requiring specialized institutional knowledge and experience; or

(B) Is a member with service credit under § 24-4-521 at a rate of two (2) or more years of credited service for each year of actual service and the person returns to employment in a position covered under the system within one (1) year of the person's effective date of retirement.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current coronavirus 2019 (COVID-19) pandemic has impacted the normal functioning of state government, including the procedures that will be used for the 2021 Regular Session; that the coronavirus 2019 (COVID-19) pandemic has required a change in the procedures usually implemented by the General Assembly during previous legislative sessions; that given the required changes to the normal legislative session procedures, the state government needs to retain experienced personnel in order to properly perform necessary legislative functions and adequately respond to issues that may arise during the 2021 Regular Session; and that this act is necessary to ensure that the 2021 Regular Session proceeds with minimal interruption or error. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 2/2/21