

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 78

By: Senator Hickey  
By: Representative Dalby

## For An Act To Be Entitled

AN ACT TO REMOVE THE REQUIREMENT FOR MEMBER CONTRIBUTIONS TO THE ARKANSAS JUDICIAL RETIREMENT SYSTEM IN THE EVENT THAT A JUDGE OR JUSTICE HAS FORFEITED HIS OR HER RIGHTS TO RETIREMENT BENEFITS FROM THE SYSTEM; TO ALLOW A JUDGE OR JUSTICE TO RECEIVE THE PRINCIPAL OF THE BALANCE OF HIS OR HER CONTRIBUTIONS TO THE ARKANSAS JUDICIAL RETIREMENT SYSTEM IN THE EVENT THE JUDGE OR JUSTICE FORFEITS HIS OR HER RIGHTS TO RETIREMENT BENEFITS FROM THE SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO REMOVE THE REQUIREMENT FOR MEMBER CONTRIBUTIONS TO THE ARKANSAS JUDICIAL RETIREMENT SYSTEM IN THE EVENT THAT A JUDGE OR JUSTICE HAS FORFEITED HIS OR HER RIGHTS TO RETIREMENT BENEFITS FROM THE SYSTEM; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-8-209(a) and (b), concerning contributions of members of the Arkansas Judicial Retirement System, are amended to read as follows:

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



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

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

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

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

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

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

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

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

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

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

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

**APPROVED: 2/24/23**