

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1139

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC  
EMPLOYEES RETIREMENT SYSTEM FOR THE FISCAL YEAR  
ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES  
RETIREMENT SYSTEM APPROPRIATION FOR THE  
2023-2024 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the  
Arkansas Public Employees Retirement System for the 2023-2024 fiscal year,  
the following maximum number of regular employees.

| Item No. | Class Code | Title                                | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2023-2024 |
|----------|------------|--------------------------------------|--------------------------|--|
| (1)      | U014U      | APERS DIRECTOR                       | 1                        | GRADE SE04                                       |
| (2)      | U078U      | APERS DEPUTY DIRECTOR                | 1                        | GRADE SE01                                       |
| (3)      | D015N      | APERS DIRECTOR OF INFORMATION TECHNO | 1                        | GRADE IT10                                       |
| (4)      | D006N      | STATE SYSTEMS ARCHITECT              | 1                        | GRADE IT10                                       |
| (5)      | D030C      | INFORMATION SYSTEMS COORDINATOR      | 1                        | GRADE IT07                                       |
| (6)      | D044C      | SYSTEMS ANALYST                      | 1                        | GRADE IT05                                       |
| (7)      | G042N      | APERS CHIEF LEGAL COUNSEL            | 1                        | GRADE GS14                                       |



|      |  |          |            |
|------|--|----------|------------|
| (8)  | A003N SENIOR INVESTMENT ANALYST        | 1        | GRADE GS14 |
| (9)  | N096N APERS ASST DIRECTOR OF FINANCE   | 1        | GRADE GS13 |
| (10) | R003N APERS DIRECTOR OF BENEFITS ADMIN | 1        | GRADE GS13 |
| (11) | G037N APERS DIRECTOR OF OPERATIONS     | 1        | GRADE GS13 |
| (12) | A027C ACCOUNTING OPERATIONS MANAGER    | 2        | GRADE GS11 |
| (13) | R013C AGENCY HUMAN RESOURCES MANAGER   | 1        | GRADE GS11 |
| (14) | R054C APERS BENEFITS OPERATIONS MGR    | 1        | GRADE GS11 |
| (15) | G047C ATTORNEY SPECIALIST              | 1        | GRADE GS11 |
| (16) | A052C ACCOUNTING COORDINATOR           | 1        | GRADE GS09 |
| (17) | A034C RETIREMENT SECTION MANAGER       | 3        | GRADE GS09 |
| (18) | A082C ACCOUNTANT II                    | 10       | GRADE GS08 |
| (19) | A066C INTERNAL AUDITOR                 | 1        | GRADE GS08 |
| (20) | A062C RETIREMENT COORDINATOR           | 5        | GRADE GS08 |
| (21) | R024C ASSISTANT PERSONNEL MANAGER      | 1        | GRADE GS07 |
| (22) | A079C INVESTMENT ANALYST               | 3        | GRADE GS07 |
| (23) | A078C RETIREMENT COUNSELOR             | 15       | GRADE GS07 |
| (24) | P031C MEDIA SPECIALIST                 | 1        | GRADE GS06 |
| (25) | P027C PUBLIC INFORMATION SPECIALIST    | 1        | GRADE GS06 |
| (26) | A083C RETIREMENT ANALYST               | 9        | GRADE GS06 |
| (27) | X115C SOCIAL SECURITY ANALYST          | 1        | GRADE GS06 |
| (28) | C022C BUSINESS OPERATIONS SPECIALIST   | 1        | GRADE GS05 |
| (29) | A091C FISCAL SUPPORT ANALYST           | 2        | GRADE GS05 |
| (30) | C056C ADMINISTRATIVE SPECIALIST III    | 2        | GRADE GS04 |
| (31) | A098C FISCAL SUPPORT SPECIALIST        | 4        | GRADE GS04 |
| (32) | C073C ADMINISTRATIVE SPECIALIST II     | <u>3</u> | GRADE GS03 |
|      | MAX. NO. OF EMPLOYEES                  | 79       |            |

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Public Employees Retirement System for the 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: six (6) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - PUBLIC EMPLOYEES RETIREMENT OPERATIONS.

There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from the Arkansas Public Employees' Retirement System Fund, for personal services and operating expenses of the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM<br>NO.                     | FISCAL YEAR<br>2023-2024 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES           | \$4,476,868              |
| (02) EXTRA HELP                 | 75,000                   |
| (03) PERSONAL SERVICES MATCHING | 1,582,227                |
| (04) MAINT. & GEN. OPERATION    |                          |
| (A) OPER. EXPENSE               | 2,107,473                |
| (B) CONF. & TRAVEL              | 67,500                   |
| (C) PROF. FEES                  | 2,000,000                |
| (D) CAP. OUTLAY                 | 0                        |
| (E) DATA PROC.                  | 0                        |
| (05) BENEFITS-NON EMPLOYEE      | 40,000,000               |
| (06) REFUNDS/REIMBURSEMENTS     | 85,000,000               |
| (07) DATA PROCESSING SERVICES   | <u>3,000,000</u>         |
| TOTAL AMOUNT APPROPRIATED       | <u>\$138,309,068</u>     |

SECTION 4. APPROPRIATION - PUBLIC EMPLOYEES RETIREMENT CASH. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from cash funds as defined by Arkansas Code 19-4-801, for payment to beneficiaries by check or wire transfer, by the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM<br>NO.                 | FISCAL YEAR<br>2023-2024 |
|-----------------------------|--------------------------|
| (01) BENEFITS               | \$675,000,000            |
| (02) REFUNDS/REIMBURSEMENTS | <u>50,000,000</u>        |
| TOTAL AMOUNT APPROPRIATED   | <u>\$725,000,000</u>     |

SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is hereby appropriated, to the Arkansas Public Employees Retirement System,

to be payable from the State Police Retirement Fund, for operating expenses of the State Police Retirement System, by the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM                         | FISCAL YEAR         |
|------------------------------|---------------------|
| <u>NO.</u>                   | <u>2023-2024</u>    |
| (01) MAINT. & GEN. OPERATION |                     |
| (A) OPER. EXPENSE            | \$20,000            |
| (B) CONF. & TRAVEL           | 0                   |
| (C) PROF. FEES               | 265,950             |
| (D) CAP. OUTLAY              | 0                   |
| (E) DATA PROC.               | 0                   |
| (02) BENEFITS-NON EMPLOYEE   | 5,000,000           |
| (03) REFUNDS/REIMBURSEMENTS  | <u>25,000,000</u>   |
| TOTAL AMOUNT APPROPRIATED    | <u>\$30,285,950</u> |

SECTION 6. APPROPRIATION - STATE POLICE RETIREMENT CASH. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from cash funds as defined by Arkansas Code 19-4-801, for payment to beneficiaries of the State Police Retirement System by check or wire transfer, by the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM                        | FISCAL YEAR         |
|-----------------------------|---------------------|
| <u>NO.</u>                  | <u>2023-2024</u>    |
| (01) BENEFITS               | \$31,000,000        |
| (02) REFUNDS/REIMBURSEMENTS | <u>1,500,000</u>    |
| TOTAL AMOUNT APPROPRIATED   | <u>\$32,500,000</u> |

SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from the Judges Retirement Fund, for operating expenses of the Judicial Retirement System, by the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| NO.                          | 2023-2024                 |
|------------------------------|---------------------------|
| (01) MAINT. & GEN. OPERATION |                           |
| (A) OPER. EXPENSE            | \$12,000                  |
| (B) CONF. & TRAVEL           | 0                         |
| (C) PROF. FEES               | 140,879                   |
| (D) CAP. OUTLAY              | 0                         |
| (E) DATA PROC.               | 0                         |
| (02) BENEFITS-NON EMPLOYEE   | 1,250,000                 |
| (03) REFUNDS/REIMBURSEMENTS  | <u>7,250,000</u>          |
| TOTAL AMOUNT APPROPRIATED    | <u><u>\$8,652,879</u></u> |

SECTION 8. APPROPRIATION - JUDICIAL RETIREMENT CASH. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from cash funds as defined by Arkansas Code 19-4-801, for payment to beneficiaries of the Judicial Retirement System by check or wire transfer, by the Arkansas Public Employees Retirement System for the fiscal year ending June 30, 2024, the following:

| ITEM                        | FISCAL YEAR                |
|-----------------------------|----------------------------|
| NO.                         | 2023-2024                  |
| (01) BENEFITS               | \$20,750,000               |
| (02) REFUNDS/REIMBURSEMENTS | <u>250,000</u>             |
| TOTAL AMOUNT APPROPRIATED   | <u><u>\$21,000,000</u></u> |

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$63,708~~ \$150,000 in the ~~2022-~~ 2023-2024 fiscal year may be transferred from the Judges Retirement Fund to the Arkansas Public Employees' Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the Judicial Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$117,428~~ \$250,000 in the ~~2022-2023~~ 2023-2024 fiscal year may be transferred from the State Police Retirement Fund to the Arkansas Public Employees' Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the State Police Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby exempted from seeking prior review by the Arkansas Legislative Council or Joint Budget Committee with regard to transfers between the Benefits and Refund line items in the Public Employees Retirement Cash appropriation section and the Benefits-Non Employee line item in the Public Employees Retirement Operations appropriation section which are specifically related to transfers necessitated by the changes in retirees' selection of the method of payment of retirement benefits. All other provisions of Arkansas Code §19-4-522 shall be applicable.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be transferred from the State Police Retirement Fund to the Arkansas Public Employees' Retirement System Fund to share in the costs incurred by the Arkansas Public Employees Retirement System in the purchase and implementation of a new pension administration system, which will be utilized to administer State Police pension transactions for members and retirees.

Said transfer shall sunset at the end of fiscal year ~~2023~~ 2024. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be transferred from the Judicial Retirement Fund to the Arkansas Public Employees' Retirement System Fund to share in the costs incurred by the Arkansas Public Employees Retirement System in the purchase and implementation of a new pension administration system, which will be utilized to administer Judicial pension transactions for members and retirees. Said transfer shall sunset at the end of fiscal year ~~2023~~ 2024. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive

Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2023 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2023 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2023.

**APPROVED: 2/27/23**