

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 128

By: Senator Hickey

By: Representative Maddox

## For An Act To Be Entitled

AN ACT TO AMEND AND UPDATE THE STATE POLICE RETIREMENT SYSTEM LAWS TO PROVIDE FOR THE PROPER ADMINISTRATION OF BENEFITS UNDER THE STATE POLICE RETIREMENT SYSTEM; TO CORRECT THE EMPLOYER CONTRIBUTION RATE UNDER THE STATE POLICE RETIREMENT SYSTEM; TO AMEND THE EXCEPTIONS TO THE PROHIBITION AGAINST SUBJECTION OF ANNUITY RIGHTS TO LEGAL PROCESSES UNDER THE STATE POLICE RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO CORRECT THE EMPLOYER CONTRIBUTION RATE AND THE EXCEPTIONS TO THE PROHIBITION AGAINST SUBJECTION OF ANNUITY RIGHTS TO LEGAL PROCESSES UNDER THE STATE POLICE RETIREMENT SYSTEM; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-2-701(c)(2), concerning the employer contribution rate under the State Police Retirement System, is amended to read as follows:

(2) For the State Police Retirement System, ~~twenty-two percent~~ ~~(22%)~~ twenty-six percent (26%); and



SECTION 2. Arkansas Code § 24-6-223(c), concerning exceptions to the prohibition against subjection of annuity rights to legal processes, is amended to read as follows:

(c) An exception to the prohibition against subjection of annuity rights to any process of law applies to the following:

(1) The State of Arkansas shall have the right of setoff for any claim arising from embezzlement by, or fraud of, a member, retirant, or beneficiary.

(2) A court of competent jurisdiction of this state may order the monthly benefit of a retirant to be paid into the registry of the court for disposition as the court deems just and proper if the retirant is found by the court to be willfully refusing or failing to support his or her minor dependent children in violation of a court order providing for such support.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that certain provisions of the State Police Retirement System law do not comport with existing laws concerning the administration of benefits and are in need of revision and updating to maintain the retirement laws in conformance with sound public pension policy; that the State Police Retirement System operates on 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 herein; that such revisions and updating are of great importance for actuarial purposes and to protect the benefits of members of the State Police Retirement System; and that it is necessary for this act to have a July 1, 2023 effective date in order to maintain an orderly system of benefits for the members of the State Police Retirement 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, 2023.

**APPROVED: 3/9/23**