

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1207

By: Representative Warren

By: Senator Gilmore

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CLARIFY
LANGUAGE FOR THE PROPER ADMINISTRATION OF BENEFITS
UNDER THE STATE POLICE RETIREMENT SYSTEM; AND FOR
OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS AND
CLARIFY LANGUAGE FOR THE PROPER
ADMINISTRATION OF BENEFITS UNDER THE
STATE POLICE RETIREMENT SYSTEM.

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

SECTION 1. Arkansas Code § 24-6-218(a)-(c), concerning survivors' benefits for the surviving spouse and children of an officer killed in the line of duty while not a member of the State Police Retirement System, is amended to read as follows:

(a)(1) In the event any ~~uniformed employee of the Division of Arkansas State Police~~ state police officer is killed while in the performance of his or her duties, yet the surviving spouse and surviving children of the ~~uniformed employee of the division~~ state police officer are deprived of receiving benefits as prescribed in § 24-6-217 because the ~~uniformed employee~~ state police officer was not a member of the ~~system~~ State Police Retirement System at the time of his or her death, or had not completed any probationary period of service required by rules of the Arkansas State Police Commission, or had not obtained sufficient service for benefits, the surviving spouse may make application to the Board of Trustees of the State Police Retirement



System.

(2) Upon establishing proof of the facts set forth in this subsection, the surviving spouse and surviving children shall be eligible for and receive survivors' benefits for himself or herself and the unmarried children of the deceased ~~uniformed employee~~ state police officer who was killed in the line of duty, ~~which if the~~ children are under eighteen (18) years of age or under ~~twenty-two (22)~~ twenty-three (23) years of age while enrolled in an institution of higher education, as provided in § 24-6-217.

(b) Upon the reaching of eighteen (18) years of age by the unmarried children or the failure to enroll in an institution of higher education if the child is under ~~twenty-two (22)~~ twenty-three (23) years of age, the surviving spouse shall continue to receive benefits as provided by law, but upon his or her remarriage or death, the benefits shall terminate.

(c) It is the specific intent of this section that surviving spouses as described in this section be eligible for survivors' benefits for themselves and any unmarried children under eighteen (18) years of age of the deceased ~~uniformed employee of the division~~ state police officer who was killed in the line of duty, or any children under ~~twenty-two (22)~~ twenty-three (23) years of age while enrolled in an institution of higher education, irrespective of whether the employee was a member of, or was eligible for benefits under, the State Police Retirement System at the time of his or her death.

SECTION 2. Arkansas Code § 24-6-226(c), concerning voluntary retirement for Tier 1 noncontributory members under the State Police Retirement System, is amended to read as follows:

(c) Upon the member's retirement, he or she shall receive a pension provided for in ~~§ 24-6-216~~ § 24-6-227.

SECTION 3. Arkansas Code § 24-6-409(c)-(d), concerning the calculation of a benefit payable as a redetermined amount under the Tier Two Benefit Plan of the State Police Retirement System, is repealed.

~~(c) In no event shall the redetermined amount be more than the amount of the benefit payable as of the immediately preceding July 1 multiplied by the following fraction:~~

~~(1) The numerator shall be the average of the consumer price~~

~~index for the twelve (12) calendar months in the calendar year immediately preceding July 1, but in no event an amount less than the denominator; and~~

~~(2) The denominator shall be the average of the consumer price index for the twelve (12) calendar months in the second calendar year preceding the redetermination date.~~

~~(d)(1) As used in this section, "consumer price index" means the Consumer Price Index for All Urban Consumers, as determined by the United States Department of Labor and in effect January 1, 1987.~~

~~(2) However, should the consumer price index be restructured subsequent to 1988 in a manner materially changing its character, the Board of Trustees of the State Police Retirement System, after receiving the advice of the actuary, shall change the application of the consumer price index so that, as far as is practicable, the 1986 intent of the use of the consumer price index shall be continued.~~

SECTION 4. Arkansas Code § 24-6-413(b), concerning when Tier Two Benefit Plan benefits may be levied by a court and the protection of benefits from certain creditors under the State Police Retirement System, is amended to read as follows:

(b) An exception to the prohibition against subjection of annuity rights to any process of law is allowed for the following:

(1) An employer shall have the right of setoff for any claim arising from embezzlement by or fraud of a member, retirant, or beneficiary; and

(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 that support.

APPROVED: 2/20/25