

Stricken language would be deleted from and underlined language would be added to present law.

Act 223 of the Regular Session

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State of Arkansas

# A Bill

Regular Session, 2025

HOUSE BILL 1155

By: Representative Warren

By: Senator J. Dotson

## For An Act To Be Entitled

AN ACT TO CREATE A REBUTTABLE PRESUMPTION OF QUALIFICATION FOR DISABILITY RETIREMENT BENEFITS UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR MEMBERS WITH A SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY RATING FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE A REBUTTABLE PRESUMPTION OF QUALIFICATION FOR DISABILITY RETIREMENT BENEFITS UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-7-704(a)(1)(F), concerning a rebuttal presumption of qualification to receive disability retirement benefits under the Arkansas Teacher Retirement System, is amended to read as follows:

(F) ~~A favorable determination letter from the Social Security Administration finding that the member is unable to perform his or her current work duties shall create a rebuttable presumption that the member qualifies to receive disability retirement benefits~~ A rebuttable presumption that a member qualifies to receive disability retirement benefits is created if the member submits a:

(i) Favorable determination letter from the Social



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Security Administration finding that the member is unable to perform his or her current work duties; or

(ii) Service-connected disability rating from the United States Department of Veterans Affairs finding that the member has a one hundred percent (100%) permanent and total disability.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the operations of a state public retirement system are complex; that the Arkansas Teacher Retirement System must be able to meet the needs of its members as anticipated by the General Assembly; that certain provisions of the Arkansas Teacher Retirement System Act, § 24-7-201 et seq., need immediate revision and updating to address administrative complexities caused by these provisions and to bring these provisions into conformance with sound public pension policy and actuarial requirements; that the revisions and updates are of great importance to members of the Arkansas Teacher Retirement System and to other citizens of the State of Arkansas; that as the Arkansas Teacher Retirement System operates on a fiscal year of July 1 to June 30, an effective date of July 1, 2025, is necessary in order to allow the provisions within this act to begin on the first day of the fiscal year and to allow for a structured and proper administration of the procedures referenced in this act; that the updates and revisions to the Arkansas Teacher Retirement System Act are of great importance and necessary for protecting member benefits and clarifying the reporting and contribution requirements of employers participating in the Arkansas Teacher Retirement System; and that this act is necessary in order to maintain an orderly system of benefits for the members of the Arkansas Teacher 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, 2025.

**APPROVED: 2/27/25**