

State of Arkansas

# A Bill

Regular Session, 2025

HOUSE BILL 1157

By: Representative Perry

By: Senator J. Boyd

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING SURVIVOR ANNUITY BENEFITS FOR DEPENDENT CHILDREN UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING SURVIVOR ANNUITY BENEFITS FOR DEPENDENT CHILDREN 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 § 24-7-710(c)(2), concerning survivor annuity benefits for dependent children under the Arkansas Teacher Retirement System, is amended to read as follows:

(2)(A) A deceased active member's child shall be considered a dependent child and eligible for the dependent child annuity until he or she reaches ~~eighteen (18)~~ twenty-two (22) years of age.

~~(B)(i) A deceased active member's child shall be considered a dependent child who is eligible for a dependent child annuity if the child:~~

~~(a) Is at least eighteen (18) years of age and not older than twenty-two (22) years of age; and~~

~~(b) Stays continuously enrolled as a full-time student in an accredited secondary school, college, university, or vocational-technical school.~~



~~(ii) Notwithstanding subdivision (c)(2)(B)(i)(b) of this section, a dependent child who enrolls in an accredited college, university, or vocational technical school and defers his or her enrollment in accordance with rules promulgated by the Board of Trustees of the Arkansas Teacher Retirement System shall remain eligible to receive a dependent child annuity during his or her period of deferred enrollment.~~

~~(C)(B)~~ Regardless of age, a deceased active member's child who has been deemed physically or mentally incapacitated by a court of competent jurisdiction is eligible to receive a dependent child annuity for as long as the incapacity exists.

~~(D)(i) A dependent child may have his or her dependent child annuity temporarily suspended if the dependent child:~~

~~(a) Is called to active military duty or active military training; and~~

~~(b) Submits a copy of his or her military orders to the system.~~

~~(ii) The dependent child's dependent child annuity shall be temporarily suspended for the duration of the dependent child's participation in active military duty or active military duty training.~~

~~(iii) The dependent child's dependent child annuity shall be reinstated if the dependent child:~~

~~(a) Is at least eighteen (18) years of age and not older than twenty two (22) years of age;~~

~~(b) Immediately enrolls as a full time student at an accredited secondary school, college, university, or vocational technical school after returning from active military duty or active military training; and~~

~~(c) Submits documentation of his or her enrollment at an accredited secondary school, college, university, or vocational technical school to the system.~~

SECTION 2. Arkansas Code § 24-7-710(g), concerning eligibility to receive a dependent child annuity under the Arkansas Teacher Retirement System, is amended to read as follows:

(g)(1) A dependent child annuity shall be payable to each surviving child of a retiree who dies after returning to work ~~if the child qualifies as~~

~~a dependent child and is eligible for a dependent child annuity under this section and the rules and resolutions of the system~~ or a disability retiree if the surviving child:

(A) Is eligible for a dependent child annuity under this section and the rules of the system; and

(B) Has not been designated as an option beneficiary of the retiree who dies after returning to work or the disability retiree.

(2) The provisions of this section that are applicable to the child of an active member shall be used to determine:

(A) Whether the child of a retiree who dies after returning to work or the child of a disability retiree qualifies as a dependent child who is eligible for a dependent child annuity;

(B) When the dependent child annuity is payable to the child of a retiree who dies after returning to work or the child of a disability retiree; and

(C) The amount of the dependent child annuity payable to the child of a retiree who dies after returning to work or the child of a disability retiree.

SECTION 3. 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, a July 1, 2025, effective date 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**