

24 CAR § 1-218
Proposed Amended Rule
October 2025 Monthly Progress Report

AGENCY: Arkansas Public Employees' Retirement System (APERS)

Contact Information:

Amy Fecher, Executive Director

Phone: (501) 682-7854

Email: amy.fecher@arkansas.gov

Laura Gilson, Chief Legal Counsel

Phone: (501) 682-7853

Email: laura.gilson@arkansas.gov

Richmond Giles, Staff Attorney

Phone: (501) 682-5436

Email: richmond.giles@arkansas.gov

BACKGROUND: Section 3 of Act 370 of 2025 found that the need for special judges is imminent to ensure the timely administration of justice and clarified that a retired district judge may serve as a special judge immediately upon retirement. Arkansas Code Ann. § 24-4-520 and the current rule "24 CAR § 1-218. Termination of covered employment required for retirement" requires that all APERS members terminate APERS covered employment to be eligible for retirement. Returning to work for an APERS participating employer within 180 days, or in some cases one year, constitutes a failure to terminate covered employment. Act 370 of 2025 specifically allows judges, which includes district judges covered under APERS, to serve as special judges immediately upon retirement. The amended rule clarifies that a retired district judge's appointment to serve as a special judge does not constitute a failure to terminate covered employment under Arkansas Code § 24-4-520. The amended rule also repeals repetitive language and language that restates Arkansas Code § 24-4-520.

RULE PROMULGATION STATUS: The amended rule was published in accordance with Arkansas Code § 25-15-204. The public comment period expired on August 12, 2025, and APERS received no public comments. The amended rule was filed in accordance with Arkansas Code § 10-3-309 and is currently scheduled to be reviewed by the Joint Committee on Public Retirement and Social Security Programs on October 10, 2025, and by the Arkansas Legislative Council – Administrative Rules Subcommittee on October 16, 2025.