

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Bradford**

# A Bill

**SENATE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 14-42-117 TO PROVIDE THAT  
9 NO ELECTED MUNICIPAL OFFICIAL MAY WITHDRAW IN A LUMP SUM  
10 OR ROLL OVER INTO A PRIVATE ACCOUNT ANY ACCUMULATED  
11 RETIREMENT BENEFITS ESTABLISHED BY THE MUNICIPALITY IF THE  
12 OFFICIAL RECEIVES A PENSION PROVIDED FOR UNDER AN ACT OF  
13 THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES."

14  
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16  
17 SECTION 1. Arkansas Code 14-42-117 is hereby amended to read as  
18 follows:

19 "14-42-117. Election of retirement benefits.

20 Notwithstanding any other law to the contrary, any employee of a  
21 first-class city, second-class city, or incorporated town, and any elected  
22 official of a first-class city, second-class city, or incorporated town who is  
23 entitled by an act of the General Assembly to retirement benefits for service  
24 as such employee or elected official and who also participates in another  
25 retirement plan established by the city for the same period of service shall  
26 be entitled to only one (1) retirement benefit for the same period of service  
27 to the municipality, provided that no elected official may withdraw in a lump  
28 sum or roll over into a private account any accumulated benefits established  
29 by the municipality for which the official was employed and at the same  
30 receive a pension as provided for under an act of the General Assembly,  
31 and the employee or elected official may choose whether to receive the  
32 retirement benefit provided by law or provided by the plan offered by the  
33 municipality."

34  
35 SECTION 2. All provisions of this Act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
2 Revision Commission shall incorporate the same in the Code.

3

4       SECTION 3. If any provision of this Act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the Act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 Act are declared to be severable.

9

10       SECTION 4. All laws and parts of laws in conflict with this Act are  
11 hereby repealed.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

