

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1007

4
5 By: Representative Duggar
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For An Act To Be Entitled

9 AN ACT TO AUTHORIZE VARIOUS STATE RETIREMENT PLANS TO
10 BE SUBJECT TO RESTITUTION ORDERS WHEN A MEMBER IS
11 CONVICTED OF THEFT OF PROPERTY OR OTHER OFFENSES
12 AFFECTING PROPERTY BELONGING TO THE STATE OR LOCAL
13 GOVERNMENTS; AND FOR OTHER PURPOSES.
14

Subtitle

15 SUBJECTS STATE RETIREMENT PLANS TO
16 RESTITUTION ORDERS IF MEMBERS ARE
17 CONVICTED OF THEFT OF PROPERTY BELONGING
18 TO THE STATE OR A LOCAL GOVERNMENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Notwithstanding Arkansas Code 24-3-212, 24-5-117, 24-6-223,
25 24-6-413, 24-7-715, 24-10-616, and 24-11-814, or any other laws of Arkansas
26 limiting the application of legal process to any retirement plans, if a
27 defendant is a member of a retirement plan and pleads guilty or nolo
28 contendere to, or is found guilty of theft or any other offense affecting
29 property held by or belonging to the state or any political subdivision and
30 the court orders restitution as a part of the sentence, then the court is
31 empowered to issue an order for payment of restitution from any and all
32 retirement annuities and benefits of any retirement plan.
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34 SECTION 2. (a) Notwithstanding Arkansas Code 24-3-212, 24-5-117, 24-6-
35 223, 24-6-413, 24-7-715, 24-10-616, and 24-11-814, or any other laws of
36 Arkansas limiting the application of legal process to any retirement plans,

the Arkansas Teacher Retirement System, the Arkansas State Police Retirement System, the Arkansas State Highway Employees' Retirement System, the Arkansas Public Employees' Retirement System, the Judicial Retirement System, and any other state-supported retirement system shall comply with any order for payment of restitution from any and all retirement annuities and benefits of any retirement plan.

(b) The boards of trustees of the retirement systems shall promulgate rules and regulations to implement this act and shall adopt a uniform legal form for use in preparing restitution orders for each retirement plan.

SECTION 3. As used in this act, "retirement plan" means any retirement plan, private or public, including, but not limited to, the Arkansas Teacher Retirement System, the Arkansas State Police Retirement System, the Arkansas State Highway Employees' Retirement System, the Arkansas Public Employees' Retirement System, the Judicial Retirement System, and other state-supported alternate retirement systems.

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