

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1177

By: Representatives Carnine, Dale

By: Senators B. Sample, Elliott

For An Act To Be Entitled

AN ACT TO ALLOW CERTAIN MEMBERS OF THE GENERAL ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW CERTAIN MEMBERS OF THE GENERAL ASSEMBLY TO OPT OUT OF MEMBERSHIP IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 24-4-301(a)(2), concerning membership in the Arkansas Public Employees' Retirement System as a condition of employment, is amended to add an additional subdivision to read as follows:

(C) Beginning July 1, 2013, a person may opt out of membership in the system if the person is:

(i) A member of the General Assembly;

(ii) At least sixty-five (65) years of age;

(iii) Receiving social security benefits; and

(iv) Retired from a reciprocal system as defined in

§ 24-2-401.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that members of the General



Assembly are required to become members of the Arkansas Public Employees' Retirement System; that members of the General Assembly are required to have ten (10) or more years of actual service to be eligible for benefits under the system; that some members of the General Assembly are retired from other reciprocal systems in the state and may not serve as public employees under the system for ten (10) or more years; that the state is making contributions on behalf of these members of the General Assembly; that it is in the best interests of the state to allow certain members of the General Assembly to opt out of membership in the system; and that this act is necessary because the ideal time to make revisions to the system is at the beginning of the fiscal year, which starts on July 1 of each year. 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, 2013.