

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H1/31/19 H3/18/19  
**A Bill**

HOUSE BILL 1256

By: Representative House

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE  
REDETERMINATION OF BENEFITS UNDER THE ARKANSAS PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN  
EMERGENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE  
REDETERMINATION OF BENEFITS UNDER 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 § 24-4-607 is amended to read as follows:  
24-4-607. Redetermination of benefits.

(a)(1) Each July 1 the Arkansas Public Employees' Retirement System shall may redetermine the amount of each monthly benefit which has been payable by the system for at least twelve (12) full calendar months.

(2) The redetermined amount shall be payable for the following twelve (12) calendar months.

(b)(1) The redetermined amount shall be the amount of the benefit payable as of the immediately preceding July 1 increased by a simple cost-of-living adjustment that is no more than three percent (3%).

(2)(A) The redetermined amount shall not be less than the base amount.

(B) As used in subdivision (b)(2)(A) of this section, "base amount" means the amount of the benefit payable to a member



who retires on and after July 1, 2019, plus any one-time increases granted by legislation that is enacted after the effective date on which a member begins receiving retirement benefits, excluding the simple cost-of-living adjustment under this section.

(C) The redetermined amount under this section is not a benefit enhancement.

(c) The Board of Trustees of the Arkansas Public Employees' Retirement System may grant a cost-of-living adjustment in accordance with subsection (b) of this section to one (1) or more of the following individuals:

(1) An individual who is employed and becomes a member of the system after the effective date of this act;

(2) A nonvested member of the system;

(3) A vested member of the system; and

(4) A retirant or a beneficiary of a retirant of the system.

(d) The provisions of this section are severable, and if any provision of this act is declared invalid, then the remaining provisions of this section shall remain valid.

*SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the operations of the Arkansas Public Employees' Retirement System must be able to meet the needs of its members as anticipated by the General Assembly; that certain provisions of the Arkansas Public Employees' Retirement System are in imminent need of revision before the fiscal year begins on July 1, 2019; and that this act is immediately necessary in order to maintain an orderly system of benefits for the members of the Arkansas Public Employees' 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, 2019.*

*/s/House*