

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/3/21 H3/15/21

A Bill

HOUSE BILL 1169

By: Representatives Tollett, Barker, Beaty Jr., Bentley, M. Berry, C. Cooper, Deffenbaugh, Haak, Ladyman, McClure, Scott, Vaught, Wing

For An Act To Be Entitled

AN ACT TO CREATE THE PUBLIC SCHOOL EMPLOYEES HEROES ACT; CONCERNING THE VOLUNTARY RETIREMENT OF ACTIVE MEMBERS OF THE ARKANSAS TEACHER RETIREMENT SYSTEM WHO WERE EMPLOYED BY A COVERED EMPLOYER DURING THE 2020-2021 SCHOOL YEAR; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE PUBLIC SCHOOL EMPLOYEES HEROES ACT; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Public School Employees Heroes Act".

SECTION 2. Arkansas Code § 24-7-702(b)(2), concerning early voluntary retirement under the Arkansas Teacher Retirement System, is amended to add an additional subdivision to read as follows:

(C)(i) An active member shall receive the early annuity described in subdivision (b)(C)(ii) of this section in lieu of the annuity in the amount provided under subdivision (b)(2)(A) of this section if the active member:

(a) Is an employee of a public school;

(b) Has attained a full year of service credit



for the 2020-2021 school year;

(c) Has a combined total of twenty-seven (27) or more years of actual and reciprocal service, including purchased or free credited service; and

(d) Is ineligible for retirement under § 24-7-701.

(ii) The early annuity received by an active member described in subdivision (b)(C)(i) of this section shall be one hundred percent (100%) reduced by five-twelfths percent (5/12%) multiplied by the number of months by which the time of early retirement precedes the earlier of either completion of twenty-eight (28) years of credited service or attainment of sixty (60) years of age.

(iii) The board shall not adjust the early annuity reduction under subdivision (b)(C)(ii) of this section.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the operations of a state public retirement system are complex; that the Arkansas Teacher Retirement System must be able to meet the needs of its members as anticipated by the General Assembly; that certain provisions of the Arkansas Teacher Retirement System Act, § 24-7-702, are imminently in need of revision and updating to bring them into conformance with sound public pension policy and actuarial requirements; that such revision and updating is of great importance to members of the Arkansas Teacher Retirement System and to other citizens of the State of Arkansas; that the Arkansas Teacher Retirement System needs to have the ability to make changes to maintain and improve its actuarial status and meet the needs of its members as anticipated by the General Assembly; and that this act is necessary in order to maintain an orderly system of benefits for the members of the Arkansas Teacher 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, 2021.

/s/Tollett