

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1256

By: Representative J. Mayberry  
By: Senators Stone, A. Clark, K. Hammer

## For An Act To Be Entitled

AN ACT TO AMEND THE TERMINATION SEPARATION PERIOD FOR NONTEACHER SCHOOL EMPLOYEES UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE TERMINATION SEPARATION PERIOD FOR RETIRED NONTEACHER SCHOOL EMPLOYEES.

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

SECTION 1. Arkansas Code § 24-4-520(b), concerning the termination separation period under the Arkansas Public Employees' Retirement System, is amended to add an additional subdivision to read as follows:

(4)(A) A member who has retired and commenced receiving benefits shall have the one-hundred-eighty-day separation requirement waived and may return to employment if that employment is as a nonteacher school employee that is otherwise covered by the system no sooner than sixty (60) calendar days from the commencement of his or her retirement.

(B) As used in this section, "nonteacher school employee" includes without limitation a school janitor, bus driver, bus mechanic, transportation supervisor, cafeteria worker, or cafeteria manager.

SECTION 2. Arkansas Code § 24-7-502(a)(2), concerning the termination separation period under the Arkansas Teacher Retirement System, is amended to



read as follows:

(2) ~~(A) Effective September 1, 2021, a~~ A member shall not be terminated from employment for purposes of retirement eligibility if within six (6) calendar months of the member's effective date of retirement the member:

~~(A)(i)~~ Becomes employed with a covered employer; and

~~(B)(ii)~~ Has not attained the system's normal retirement age.

(B)(i) A member shall not be terminated from employment for purposes of retirement eligibility if within sixty (60) calendar days of the member's effective date of retirement the member:

(a) Becomes employed as a nonteacher school employee with a covered employer; and

(b) Has not attained the system's normal retirement age.

(ii) As used in this subdivision, "nonteacher school employee" includes without limitation a school janitor, bus driver, bus mechanic, transportation supervisor, cafeteria worker, or cafeteria manager.