

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1195

By: Representative Wooten

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING EMPLOYEES OF A MUNICIPALITY THAT PARTICIPATES IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO AMEND THE REQUIREMENT THAT AN EMPLOYEE OF A MUNICIPALITY THAT PARTICIPATES IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM SHALL DECIDE WHETHER TO ELECT NOT TO PARTICIPATE IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND INSTEAD PARTICIPATE IN A LOCAL RETIREMENT PLAN WITHIN NINETY (90) DAYS OF ASSUMING OFFICE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS CONCERNING EMPLOYEES OF A MUNICIPALITY THAT PARTICIPATES IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE ELECTION TO INSTEAD PARTICIPATE IN A LOCAL RETIREMENT PLAN.

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

SECTION 1. Arkansas Code § 24-4-303(a)(1)(C)(i), concerning an employee of a municipality that covers its employees under the Arkansas Public Employees' Retirement System and his or her decision to opt into participation in the local retirement plan instead, is amended to read as follows:

(C)(i) If the employee elects not to continue



participation in the system and opts to participate in the local retirement plan as provided under § 24-12-121 or § 24-12-123, instead, written notice of the election shall be presented to the system in a form determined acceptable by the system not later than ninety (90) calendar days after ~~first~~ assuming office during his or her first term and any subsequent term.

SECTION 2. DO NOT CODIFY. Temporary language.

(a) An employee under § 24-4-303(a)(1)(C)(i), including without limitation a mayor or city clerk of a city of the first class, shall have ninety (90) days from the effective date of this act to elect not to participate in the Arkansas Public Employees' Retirement System and instead to participate in the local retirement plan as provided under § 24-12-121 or § 24-12-123 by providing written notice of the election to the system in the same form determined acceptable by the system under § 24-4-303(a)(1)(C)(i).

(b) The additional ninety (90) days provided in subsection (a) of this section does not make the employee ineligible to exercise his or her right to elect not to participate in the system and instead to participate in the local retirement plan as provided under § 24-12-121 or § 24-12-123 during the first ninety (90) days of his or her subsequent term as provided by this act.