

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1256

5 By: Representative J. Mayberry
6 By: Senators Stone, A. Clark, K. Hammer
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For An Act To Be Entitled

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

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15 TO AMEND THE TERMINATION SEPARATION
16 PERIOD FOR RETIRED NONTEACHER SCHOOL
17 EMPLOYEES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 24-4-520(b), concerning the termination
24 separation period under the Arkansas Public Employees' Retirement System, is
25 amended to add an additional subdivision to read as follows:

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

31 (B) As used in this section, "nonteacher school employee"
32 includes without limitation a school janitor, bus driver, bus mechanic,
33 transportation supervisor, cafeteria worker, or cafeteria manager.
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35 SECTION 2. Arkansas Code § 24-7-502(a)(2), concerning the termination
36 separation period under the Arkansas Teacher Retirement System, is amended to



1 read as follows:

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

- 6 ~~(A)(i)~~ Becomes employed with a covered employer; and
- 7 ~~(B)(ii)~~ Has not attained the system's normal retirement
8 age.

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

- 12 (a) Becomes employed as a nonteacher school
13 employee with a covered employer; and
- 14 (b) Has not attained the system's normal
15 retirement age.

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

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