

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 105

5 By: Senator B. Sample
6 By: Representative Warren
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE MARRIAGE
10 ELIGIBILITY REQUIREMENT FOR SURVIVOR ANNUITY BENEFITS
11 UNDER THE ARKANSAS STATE HIGHWAY EMPLOYEES'
12 RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 TO AMEND THE LAW CONCERNING THE MARRIAGE
17 ELIGIBILITY REQUIREMENT FOR SURVIVOR
18 ANNUITY BENEFITS UNDER THE ARKANSAS STATE
19 HIGHWAY EMPLOYEES' RETIREMENT SYSTEM; AND
20 TO DECLARE AN EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 24-5-118(a)(2)(A)(ii), concerning benefits
27 and annuity options under the Arkansas State Highway Employees' Retirement
28 System, is amended to read as follows:

29 (ii) Upon the retirant's death, one-half ($\frac{1}{2}$) of the
30 reduced annuity to which the retirant would have been entitled, if living,
31 shall be paid to the surviving beneficiary for the remainder of his or her
32 life, if the beneficiary was either the retirant's spouse for at least ~~two~~
33 ~~(2) years~~ one (1) year immediately preceding the first payment due date of
34 the retired member's annuity or another person age forty (40) or older on the
35 first payment due date receiving more than one-half ($\frac{1}{2}$) of his or her support
36 from the retirant for at least two (2) years immediately preceding the first



1 payment due date of the retired member's annuity.

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3 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly of the State of Arkansas that certain provisions of the law
5 applicable to the Arkansas State Highway Employees' Retirement System are in
6 urgent need of revision to bring the operations of the system into
7 conformance with sound public pension policy; that amendments to the law in
8 this act are of great importance to the citizens of this state; and that this
9 act is necessary to maintain an orderly system of benefits for the members of
10 the system. Therefore, an emergency is declared to exist, and this act being
11 necessary for the preservation of the public peace, health, and safety shall
12 become effective on July 1, 2021.

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15 **APPROVED: 2/23/21**
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