

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/12/19

A Bill

SENATE BILL 218

5 By: Senator E. Cheatham
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING DEPOSITS IN THE
9 TEACHER DEFERRED RETIREMENT OPTION PLAN; TO REPEAL
10 CERTAIN PROVISIONS CONCERNING THE TEACHER DEFERRED
11 RETIREMENT OPTION PLAN; TO DECLARE AN EMERGENCY; AND
12 FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING DEPOSITS IN
16 THE TEACHER DEFERRED RETIREMENT OPTION
17 PLAN; TO REPEAL CERTAIN PROVISIONS
18 CONCERNING THE TEACHER DEFERRED
19 RETIREMENT OPTION PLAN; AND TO DECLARE AN
20 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 § 24-7-1306 is amended to read as follows:*

27 *24-7-1306. Amount of deposits.*

28 *(a) Teacher Deferred Retirement Option Plan deposits shall be a*
29 *percentage of the plan benefit.*

30 ~~*(b)(1)(b) The percentage is one hundred percent (100%) reduced by the*~~
31 ~~*product of one percent (1%) multiplied by the number of years of reciprocal*~~
32 ~~*service and credited service and fractions thereof in the Arkansas Teacher*~~
33 ~~*Retirement System*~~ *If a plan participant has at least thirty (30) years of*
34 *credited service in the Arkansas Teacher Retirement System, including*
35 *combined service with a reciprocal system, a plan deposit shall be calculated*
36 *beginning with the participant's plan benefit minus any applicable stipend*



1 under § 24-7-713 and then reduced by one percent (1%) for each year of
2 credited service, including fractions of a year.

3 ~~(2)(A) When a participant whose effective date in the plan is~~
4 ~~before September 1, 2003, reaches normal retirement age, the plan deposits~~
5 ~~shall be one hundred percent (100%) with no reduction.~~

6 ~~(B) For any participant whose effective date in the plan~~
7 ~~is September 1, 2003, or after, the plan deposits for a participant who~~
8 ~~reaches normal retirement age shall continue as reduced under subdivision~~
9 ~~(b)(1) of this section.~~

10 ~~(c)(1)(c) In the event a member whose effective date in the plan is~~
11 ~~before September 1, 2003, has more than thirty (30) years of service, the~~
12 ~~years of service above thirty (30) years shall be reduced by one half of one~~
13 ~~percent (0.5%) for contributory years and three tenths of one percent (0.3%)~~
14 ~~for noncontributory years If a plan participant has at least twenty-eight~~
15 ~~(28) years of credited service in the Arkansas Teacher Retirement System,~~
16 ~~including combined service with a reciprocal system, but fewer than thirty~~
17 ~~(30) years of credited service, the plan deposit shall be calculated~~
18 ~~beginning with the Teacher Deferred Retirement Option Plan participant's plan~~
19 ~~benefit minus any applicable stipend under § 24-7-713, then reduced by one~~
20 ~~percent (1%) for each year of credited service, including fractions of a~~
21 ~~year, and then may be further reduced by at least an additional six percent~~
22 ~~(6%) but no more than twelve percent (12%) for each year of credited service~~
23 ~~under thirty (30) years.~~

24 ~~(2) For any member whose effective date in the plan is September~~
25 ~~1, 2003, or after and who has more than thirty (30) years of service, the~~
26 ~~plan deposits for the years of service above thirty (30) years shall be~~
27 ~~reduced under subdivision (b)(1) of this section.~~

28 (d) The Board of Trustees of the Arkansas Teacher Retirement System is
29 authorized to make further adjustments ~~on~~ to the plan by board resolution to
30 make it cost-neutral to the Arkansas Teacher Retirement System.

31 ~~(e) As used in this section, "effective date" means the date~~
32 ~~determined to be the member's plan date under the policies and rules of the~~
33 ~~board.~~

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35 SECTION 2. Arkansas Code § 24-7-1314 is repealed.

36 ~~24-7-1314. Early participation.~~

1 ~~(a) The Board of Trustees of the Arkansas Teacher Retirement System,~~
2 ~~in consultation with its actuary, may promulgate rules and regulations to~~
3 ~~allow members having at least twenty eight (28) but less than thirty (30)~~
4 ~~years of credited service to enter the Teacher Deferred Retirement Option~~
5 ~~Plan as early participants. The board may authorize the early participation~~
6 ~~as soon as it is technologically feasible and actuarially appropriate.~~

7 ~~(b) If the board authorizes early participation, the plan deposit~~
8 ~~under § 24-7-1306 shall be based upon the deposit percent payable for a~~
9 ~~participant with thirty (30) years of service, reduced by at least an~~
10 ~~additional one-half of one percent (0.5%) and no more than one percent (1%)~~
11 ~~of the plan benefit for each month the member begins participating in the~~
12 ~~plan prior to having thirty (30) years of credited service. The board may~~
13 ~~increase the percentage required as an early participation reduction, by~~
14 ~~board resolution, in order to provide a fair and just and reasonable benefit~~
15 ~~for all members of the Arkansas Teacher Retirement System and to provide for~~
16 ~~appropriate actuary considerations.~~

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18 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly of the State of Arkansas that certain provisions of the
20 Arkansas Teacher Retirement System Act, an act that created a state agency
21 for the purpose of providing retirement benefits to school employees of the
22 state, are in need of revision and updating to maintain the teacher
23 retirement laws in conformance with sound public pension policy; that the
24 Arkansas Teacher Retirement System operates on a fiscal year of July 1 to
25 June 30; that a July 1, 2019 effective date is necessary to allow the
26 provisions within this act to begin on the first day of the fiscal year to
27 provide proper administration of the procedures referenced in this act; that
28 the updates and revisions to the Arkansas Teacher Retirement System Act are
29 of great importance for actuarial purposes and the protection of member
30 benefits under the Arkansas Teacher Retirement System; and that this act is
31 necessary in order to maintain an orderly system of benefits for the members
32 of the Arkansas Teacher Retirement System. Therefore, an emergency is
33 declared to exist, and this act being necessary for the preservation of the
34 public peace, health, and safety shall become effective on July 1, 2019.

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/s/E. Cheatham

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