

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

As Engrossed: S3/12/25

## A Bill

HOUSE BILL 1348

5 By: Representatives Warren, K. Moore  
6 By: Senator K. Hammer  
7

### For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING SURVIVOR BENEFITS  
10 FOR THE DEPENDENT CHILD OF A MEMBER OF THE ARKANSAS  
11 PUBLIC EMPLOYEES' RETIREMENT SYSTEM OR A MEMBER OF  
12 THE STATE POLICE RETIREMENT SYSTEM; TO DECLARE AN  
13 EMERGENCY; AND FOR OTHER PURPOSES.  
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### Subtitle

16 TO AMEND THE LAW CONCERNING SURVIVOR  
17 BENEFITS FOR THE DEPENDENT CHILD OF A  
18 MEMBER OF THE ARKANSAS PUBLIC EMPLOYEES'  
19 RETIREMENT SYSTEM OR A MEMBER OF THE  
20 STATE POLICE RETIREMENT SYSTEM; AND TO  
21 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 § 24-4-608(d)(2), regarding benefits for a  
27 deceased member's surviving child in the Arkansas Public Employees'  
28 Retirement System, is amended to read as follows:

29 (2)(A) A child is considered a dependent child as used in  
30 subdivision (d)(1) of this section and for purposes of receiving a child  
31 survivor's annuity until the child's death, marriage, or attainment of  
32 ~~eighteen (18)~~ twenty-three (23) years of age, whichever occurs first.

33 (B)(i) ~~However, the age eighteen maximum shall be extended~~  
34 ~~as long as the child continues uninterruptedly being a full-time student at~~  
35 ~~an accredited secondary school, college, or university, but in no event~~  
36 ~~beyond his or her attainment of twenty-three (23) years of age.~~



1           ~~(ii)~~ ~~In addition, the age eighteen~~ The twenty-three maximum age  
2 shall be extended for any child who has been deemed physically or mentally  
3 incompetent by an Arkansas court of competent jurisdiction or by the Board of  
4 Trustees of the Arkansas Public Employees' Retirement System, for as long as  
5 the incompetency exists.

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7           SECTION 2. Arkansas Code § 24-6-216(d), regarding benefits for a  
8 deceased retiree's surviving child in the State Police Retirement System Tier  
9 One benefit plan, is amended to read as follows:

10           (d)(1)(A) A child shall be a dependent child until his or her death,  
11 his or her marriage, or his or her attainment of ~~eighteen (18)~~ twenty-three  
12 (23) years of age, whichever occurs first.

13           (B)~~(i)~~ ~~However, the age eighteen maximum shall be extended~~  
14 ~~as long as the child is continuously enrolled as a full-time student at an~~  
15 ~~accredited secondary school or accredited postsecondary institution of higher~~  
16 ~~education, but in no event beyond his or her attainment of twenty-three (23)~~  
17 ~~years of age.~~

18           ~~(ii)~~ The ~~eighteen-year~~ twenty-three-year maximum age  
19 shall also be extended for any child who has been deemed physically or  
20 mentally incompetent by a court with jurisdiction over the individual or by  
21 the Board of Trustees of the State Police Retirement System, for as long as  
22 the incompetency exists.

23           (2) Once a child ceases to be dependent, his or her annuity  
24 shall terminate and there shall be a redetermination of the amount payable to  
25 any remaining dependent children.

26           ~~(3) The board is authorized to establish through rules a means~~  
27 ~~of verification of enrollment in a secondary school or postsecondary~~  
28 ~~institution of higher education by a surviving dependent child under this~~  
29 ~~section for purposes of pension benefits.~~

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31           SECTION 3. Arkansas Code § 24-6-217(e)(1)(A) and (B), regarding  
32 benefits for a deceased member's surviving child before retirement in the  
33 State Police Retirement System, are amended to read as follows:

34           (e)(1)(A) A child is a dependent child for purposes of receiving a  
35 survivor's annuity until the child's death, marriage, or attainment of  
36 ~~eighteen (18)~~ twenty-three (23) years of age, whichever occurs first.

1                   (B)~~(i)~~ ~~However, the age eighteen maximum shall be extended~~  
2 ~~as long as the child is continuously enrolled as a full-time student at an~~  
3 ~~accredited secondary school or accredited postsecondary institution of higher~~  
4 ~~education, but in no event beyond his or her attainment of twenty-three (23)~~  
5 ~~years of age.~~

6                   ~~(ii)~~ ~~The age eighteen~~ The twenty-three maximum age  
7 shall also be extended for any child who has been deemed physically or  
8 mentally incompetent by a court with jurisdiction over the individual or by  
9 the Board of Trustees of the State Police Retirement System, for as long as  
10 the incompetency exists.

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12           SECTION 4. Arkansas Code § 24-6-411(d)(3), regarding benefits for a  
13 deceased member's surviving child in the State Police Retirement System Tier  
14 Two Benefit Plan, is amended to read as follows:

15           (d)(3)(A) A child is considered a dependent child as used in  
16 subdivision (d)(1) of this section and for purposes of receiving a survivor's  
17 annuity until the child's death, marriage, or attainment of ~~eighteen (18)~~  
18 twenty-three (23) years of age, whichever occurs first.

19                   (B)~~(i)~~ ~~However, the age eighteen maximum shall be extended~~  
20 ~~as long as the child continues uninterruptedly being a full-time student at~~  
21 ~~an accredited secondary school, college, or university but in no event beyond~~  
22 ~~his or her attainment of twenty-three (23) years of age.~~

23                   ~~(ii)~~ ~~The age eighteen~~ twenty-three maximum age shall  
24 be extended for any child who has been deemed physically or mentally  
25 incompetent by an Arkansas court of competent jurisdiction or by the Board of  
26 Trustees of the State Police Retirement System for as long as the  
27 incompetency exists.

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29           SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
30 General Assembly of the State of Arkansas that certain provisions of the law  
31 related to the extension of benefits to surviving children of members of the  
32 Arkansas Public Employees' Retirement System and the State Police Retirement  
33 System are in need of revision and updating to streamline the provision of  
34 support for beneficiaries; that the respective retirement systems operate on  
35 a fiscal calendar year of July 1 to June 30; that having a July 1, 2025,  
36 effective date is necessary to allow the provisions within this act to begin

1 on the first day of the fiscal year to provide proper administration of the  
2 procedures herein; that such revisions and updating are of great importance  
3 for actuarial purposes and to protect the benefits to members of the Arkansas  
4 Public Employees' Retirement System and the State Police Retirement System;  
5 and that this act is immediately necessary in order to maintain an orderly  
6 system of benefits for the members of the Arkansas Public Employees'  
7 Retirement System and the State Police Retirement System. Therefore, an  
8 emergency is declared to exist and this act being necessary for the  
9 preservation of the public peace, health, and safety shall become effective  
10 on July 1, 2025.

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12 */s/Warren*

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15 **APPROVED: 3/20/25**  
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