

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 1168 of 1999  
SENATE BILL 967

5 By: Senators Ross, Bearden  
6 By: Representatives Lavery, P. Malone  
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## For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE 11-9-522(f) TO  
11 ELIMINATE THOSE PROVISIONS DECLARED UNCONSTITUTIONAL  
12 BY THE ARKANSAS SUPREME COURT; AND FOR OTHER  
13 PURPOSES. "  
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## Subtitle

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16 "TO ELIMINATE PROVISIONS DECLARED  
17 UNCONSTITUTIONAL BY THE ARKANSAS SUPREME  
18 COURT. "  
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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 11-9-522(f) is amended to read as follows:

24 "~~(f)(1) Any permanent partial disability benefits payable to an injured~~  
25 ~~worker age sixty-five (65) or older shall be reduced by fifty percent (50%)~~  
26 ~~of the amount of benefits the injured worker received or is eligible to~~  
27 ~~receive from a publicly or privately funded retirement or pension plan but not~~  
28 ~~reduced by the employee's contributions to a privately funded retirement or~~  
29 ~~pension plan. Permanent total disability benefits shall be paid during the~~  
30 ~~period of such permanent total disability until the employee reaches the age~~  
31 ~~of sixty-five (65); provided, that with respect to permanent total~~  
32 ~~disabilities resulting from injuries which occur after age sixty (60),~~  
33 ~~regardless of the age of the employee, permanent total disability benefits are~~  
34 ~~payable for a period of two hundred sixty (260) weeks.~~

35 (2) The purpose and intent of this subsection is to prohibit workers'  
36 compensation from becoming a retirement supplement. "

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 4/6/1999