

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 *As Engrossed: S2/17/99 S2/24/99 S3/4/99 S3/15/99*

2 82nd General Assembly

# A Bill

3 Regular Session, 1999

HOUSE BILL 1291

4

5 By: Representatives Glover, T. Thomas, *Faris, Laverty, Bookout, Haak, Taylor, Parks, Magnus,*  
6 *Vess, Broadway*

7 By: Senator Walters

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## For An Act To Be Entitled

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11 "AN ACT TO PROVIDE FINANCIAL INCENTIVES TO STATE  
12 EMPLOYEES TO DECREASE THEIR USE OF SICK LEAVE; AND FOR  
13 OTHER PURPOSES. "

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## Subtitle

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. (a) Upon retirement, any employee of any agency of the  
24 State of Arkansas shall receive compensation for accumulated unused sick leave  
25 as follows:

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(1) If the employee has accumulated at least fifty (50) days, but  
less than sixty (60) days of sick leave, the employee shall receive an amount  
equal to fifty percent (50%) of the number of accrued sick leave days (rounded  
to the nearest day) times fifty percent (50%) of the employee's daily salary.

(2) If the employee has accumulated at least sixty (60) days, but  
less than seventy (70) days of sick leave, the employee shall receive an  
amount equal to sixty percent (60%) of the number of accrued sick leave days  
(rounded to the nearest day) times sixty percent (60%) of the employee's daily  
salary.

(3) If the employee has accumulated at least seventy (70) days,  
but less than eighty (80) days of sick leave, the employee shall receive an

1 amount equal to seventy percent (70%) of the number of accrued sick days  
2 (rounded to the nearest day) times seventy percent (70%) of the employee's  
3 daily salary.

4 (4) If the employee has accumulated at least eighty (80) or more  
5 days of sick leave, the employee shall receive an amount equal to eighty  
6 percent (80%) of the number of accrued sick leave days (rounded to the nearest  
7 day) times eighty percent (80%) of the employee's daily salary.

8 (c) For purposes of this section, the employee's daily salary shall be  
9 determined by dividing the annual salary by two hundred and sixty (260).

10 (d) The Office of Personnel Management of the Department of Finance and  
11 Administration shall promulgate regulations necessary to implement this act.

12 (e) In no event shall an employee receive an amount that exceeds seven  
13 thousand five hundred dollars (\$7,500) upon retirement due to the provisions  
14 of this Section.

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16 SECTION 2. (a)(1) State employees shall be entitled on March 1, 2001  
17 to a lump sum payment of twenty dollars (\$20.00) per day for each day of  
18 unused sick leave which was accrued during calendar year 2000.

19 (2) All state agencies subject to this act shall report to the  
20 Office of Personnel Management no later than thirty (30) days after the  
21 effective date of this act, the average sick leave usage per employee for  
22 calendar year 1998 and shall report to the Office of Personnel Management no  
23 later than February 1, 2001, the average sick leave usage per employee for  
24 calendar year 2000. The Office of Personnel Management shall calculate the  
25 average sick leave usage per state employee during calendar year 2000 based on  
26 the best available records and shall report the same and the percentage of  
27 decrease or increase in the average sick leave usage per state employee during  
28 calendar year 2000 versus 1998 no later than March 1, 2001 to the Governor and  
29 the House and Senate Committees on State Agencies and Governmental Affairs.  
30 If the average usage for the calendar year 2000 decreases at least fifteen  
31 percent (15%) compared to calendar year 1998, state employees shall be  
32 eligible on March 1, 2001, for a lump sum payment of twenty dollars (\$20.00)  
33 per day for each day of unused sick leave which was accrued during calendar  
34 year 2000. If the average sick leave usage during calendar year 2000  
35 decreases by at least twelve percent (12%) but less than fifteen percent (15%)  
36 compared to calendar year 1998, the Governor may authorize a lump sum payment

1 of twenty dollars (\$20.00) per day for each day of unused sick leave accrued  
2 during calendar year 2000. If the average sick leave usage did not decrease  
3 by at least twelve percent (12%) during calendar year 2000 as compared to  
4 calendar year 1998, the lump sum payment shall not be made for that year.

5 (b) Contributions of sick leave to an agency's catastrophic sick leave  
6 program shall not reduce the lump sum payment provided by this section.

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8 SECTION 3. The provisions of this act apply to employees of the Game  
9 and Fish Commission, the Highway and Transportation Department, and all  
10 agencies of this state whether in the executive, legislative, or judicial  
11 branch of government except that this act does not apply to state-supported  
12 institutions of higher learning.

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14 SECTION 4. All state agencies are encouraged to participate in the  
15 Department of Finance and Administration state leave accounting system.

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17 SECTION 5. All provisions of this Act of a general and permanent nature  
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 6. If any provision of this Act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the Act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 Act are declared to be severable.

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27 SECTION 7. All laws and parts of laws in conflict with this Act are  
28 hereby repealed.

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30 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
31 General Assembly that the provisions of this act should become effective at  
32 the beginning of the next fiscal year; that unless this emergency clause is  
33 adopted, this act will not go into effect until after the beginning of the  
34 next fiscal year. Therefore, an emergency is hereby declared to exist and  
35 this act being immediately necessary for the preservation of the public peace,  
36 health and safety shall be in full force and effect from and after July 1,

1 1999.

/s/ Glover

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