

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1139

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC  
10 EMPLOYEES RETIREMENT SYSTEM FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES  
15 RETIREMENT SYSTEM APPROPRIATION FOR THE  
16 2023-2024 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas Public Employees Retirement System for the 2023-2024 fiscal year,  
24 the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
30	(1) U014U	APERS DIRECTOR	1	GRADE SE04
31	(2) U078U	APERS DEPUTY DIRECTOR	1	GRADE SE01
32	(3) D015N	APERS DIRECTOR OF INFORMATION TECHNO	1	GRADE IT10
33	(4) D006N	STATE SYSTEMS ARCHITECT	1	GRADE IT10
34	(5) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
35	(6) D044C	SYSTEMS ANALYST	1	GRADE IT05
36	(7) G042N	APERS CHIEF LEGAL COUNSEL	1	GRADE GS14



1	(8)	A003N SENIOR INVESTMENT ANALYST	1	GRADE GS14
2	(9)	N096N APERS ASST DIRECTOR OF FINANCE	1	GRADE GS13
3	(10)	R003N APERS DIRECTOR OF BENEFITS ADMIN	1	GRADE GS13
4	(11)	G037N APERS DIRECTOR OF OPERATIONS	1	GRADE GS13
5	(12)	A027C ACCOUNTING OPERATIONS MANAGER	2	GRADE GS11
6	(13)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
7	(14)	R054C APERS BENEFITS OPERATIONS MGR	1	GRADE GS11
8	(15)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
9	(16)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
10	(17)	A034C RETIREMENT SECTION MANAGER	3	GRADE GS09
11	(18)	A082C ACCOUNTANT II	10	GRADE GS08
12	(19)	A066C INTERNAL AUDITOR	1	GRADE GS08
13	(20)	A062C RETIREMENT COORDINATOR	5	GRADE GS08
14	(21)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
15	(22)	A079C INVESTMENT ANALYST	3	GRADE GS07
16	(23)	A078C RETIREMENT COUNSELOR	15	GRADE GS07
17	(24)	P031C MEDIA SPECIALIST	1	GRADE GS06
18	(25)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
19	(26)	A083C RETIREMENT ANALYST	9	GRADE GS06
20	(27)	X115C SOCIAL SECURITY ANALYST	1	GRADE GS06
21	(28)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
22	(29)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
23	(30)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
24	(31)	A098C FISCAL SUPPORT SPECIALIST	4	GRADE GS04
25	(32)	C073C ADMINISTRATIVE SPECIALIST II	<u>3</u>	GRADE GS03
26		MAX. NO. OF EMPLOYEES	79	

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28 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 29 Public Employees Retirement System for the 2023-2024 fiscal year, the  
 30 following maximum number of part-time or temporary employees, to be known as  
 31 "Extra Help", payable from funds appropriated herein for such purposes: six  
 32 (6) temporary or part-time employees, when needed, at rates of pay not to  
 33 exceed those provided in the Uniform Classification and Compensation Act, or  
 34 its successor, or this act for the appropriate classification.

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36 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEES RETIREMENT OPERATIONS.

1 There is hereby appropriated, to the Arkansas Public Employees Retirement  
 2 System, to be payable from the Arkansas Public Employees' Retirement System  
 3 Fund, for personal services and operating expenses of the Arkansas Public  
 4 Employees Retirement System for the fiscal year ending June 30, 2024, the  
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2023-2024</u>
9 (01) REGULAR SALARIES	\$4,476,868
10 (02) EXTRA HELP	75,000
11 (03) PERSONAL SERVICES MATCHING	1,582,227
12 (04) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	2,107,473
14 (B) CONF. & TRAVEL	67,500
15 (C) PROF. FEES	2,000,000
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	0
18 (05) BENEFITS-NON EMPLOYEE	40,000,000
19 (06) REFUNDS/REIMBURSEMENTS	85,000,000
20 (07) DATA PROCESSING SERVICES	<u>3,000,000</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$138,309,068</u>

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 23 SECTION 4. APPROPRIATION - PUBLIC EMPLOYEES RETIREMENT CASH. There is  
 24 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 25 be payable from cash funds as defined by Arkansas Code 19-4-801, for payment  
 26 to beneficiaries by check or wire transfer, by the Arkansas Public Employees  
 27 Retirement System for the fiscal year ending June 30, 2024, the following:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2023-2024</u>
31 (01) BENEFITS	\$675,000,000
32 (02) REFUNDS/REIMBURSEMENTS	<u>50,000,000</u>
33 TOTAL AMOUNT APPROPRIATED	<u>\$725,000,000</u>

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 35 SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There  
 36 is hereby appropriated, to the Arkansas Public Employees Retirement System,

1 to be payable from the State Police Retirement Fund, for operating expenses  
 2 of the State Police Retirement System, by the Arkansas Public Employees  
 3 Retirement System for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$20,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	265,950
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) BENEFITS-NON EMPLOYEE	5,000,000
(03) REFUNDS/REIMBURSEMENTS	<u>25,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$30,285,950</u>

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 17 SECTION 6. APPROPRIATION - STATE POLICE RETIREMENT CASH. There is  
 18 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 19 be payable from cash funds as defined by Arkansas Code 19-4-801, for payment  
 20 to beneficiaries of the State Police Retirement System by check or wire  
 21 transfer, by the Arkansas Public Employees Retirement System for the fiscal  
 22 year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) BENEFITS	\$31,000,000
(02) REFUNDS/REIMBURSEMENTS	<u>1,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$32,500,000</u>

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 30 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is  
 31 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 32 be payable from the Judges Retirement Fund, for operating expenses of the  
 33 Judicial Retirement System, by the Arkansas Public Employees Retirement  
 34 System for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2023-2024</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$12,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	140,879
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(02) BENEFITS-NON EMPLOYEE	1,250,000
9	(03) REFUNDS/REIMBURSEMENTS	<u>7,250,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,652,879</u></u>

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12           SECTION 8. APPROPRIATION - JUDICIAL RETIREMENT CASH. There is hereby  
 13 appropriated, to the Arkansas Public Employees Retirement System, to be  
 14 payable from cash funds as defined by Arkansas Code 19-4-801, for payment to  
 15 beneficiaries of the Judicial Retirement System by check or wire transfer, by  
 16 the Arkansas Public Employees Retirement System for the fiscal year ending  
 17 June 30, 2024, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2023-2024</u>
21	(01) BENEFITS	\$20,750,000
22	(02) REFUNDS/REIMBURSEMENTS	<u>250,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$21,000,000</u></u>

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25           SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL  
 27 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$63,708~~ \$150,000 in the ~~2022-~~  
 28 ~~2023~~ 2023-2024 fiscal year may be transferred from the Judges Retirement Fund  
 29 to the Arkansas Public Employees' Retirement System Fund for costs incurred  
 30 by the Arkansas Public Employees Retirement System in administering the  
 31 Judicial Retirement System. Such transfer request shall be made to the Chief  
 32 Fiscal Officer of the State, and upon his approval, said transfer shall be  
 33 made on his books and those of the Treasurer of the State and the Auditor of  
 34 the State.

35           The provisions of this section shall be in effect only from July 1, ~~2022~~  
 36 2023 through June 30, ~~2023~~ 2024.

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2 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
4 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$117,428~~ \$250,000 in  
5 the ~~2022-2023~~ 2023-2024 fiscal year may be transferred from the State Police  
6 Retirement Fund to the Arkansas Public Employees' Retirement System Fund for  
7 costs incurred by the Arkansas Public Employees Retirement System in  
8 administering the State Police Retirement System. Such transfer request  
9 shall be made to the Chief Fiscal Officer of the State, and upon his  
10 approval, said transfer shall be made on his books and those of the Treasurer  
11 of the State and the Auditor of the State.

12 The provisions of this section shall be in effect only from July 1, ~~2022~~  
13 2023 through June 30, ~~2023~~ 2024.

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15 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION  
17 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby  
18 exempted from seeking prior review by the Arkansas Legislative Council or  
19 Joint Budget Committee with regard to transfers between the Benefits and  
20 Refund line items in the Public Employees Retirement Cash appropriation  
21 section and the Benefits-Non Employee line item in the Public Employees  
22 Retirement Operations appropriation section which are specifically related to  
23 transfers necessitated by the changes in retirees' selection of the method of  
24 payment of retirement benefits. All other provisions of Arkansas Code §19-4-  
25 522 shall be applicable.

26 The provisions of this section shall be in effect only from July 1, ~~2022~~  
27 2023 through June 30, ~~2023~~ 2024.

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29 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
31 STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be  
32 transferred from the State Police Retirement Fund to the Arkansas Public  
33 Employees' Retirement System Fund to share in the costs incurred by the  
34 Arkansas Public Employees Retirement System in the purchase and  
35 implementation of a new pension administration system, which will be utilized  
36 to administer State Police pension transactions for members and retirees.

1 Said transfer shall sunset at the end of fiscal year ~~2023~~ 2024. Such  
2 transfer request shall be made to the Chief Fiscal Officer of the State, and  
3 upon his approval, said transfer shall be made on his books and those of the  
4 Treasurer of the State and the Auditor of the State.

5 The provisions of this section shall be in effect only from July 1, ~~2022~~  
6 2023 through June 30, ~~2023~~ 2024.

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8 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
10 JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be  
11 transferred from the Judicial Retirement Fund to the Arkansas Public  
12 Employees' Retirement System Fund to share in the costs incurred by the  
13 Arkansas Public Employees Retirement System in the purchase and  
14 implementation of a new pension administration system, which will be utilized  
15 to administer Judicial pension transactions for members and retirees. Said  
16 transfer shall sunset at the end of fiscal year ~~2023~~ 2024. Such transfer  
17 request shall be made to the Chief Fiscal Officer of the State, and upon his  
18 approval, said transfer shall be made on his books and those of the Treasurer  
19 of State and the Auditor of the State.

20 The provisions of this section shall be in effect only from July 1, ~~2022~~  
21 2023 through June 30, ~~2023~~ 2024.

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23 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
24 authorized by this act shall be limited to the appropriation for such agency  
25 and funds made available by law for the support of such appropriations; and  
26 the restrictions of the State Procurement Law, the General Accounting and  
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
28 Procedures and Restrictions Act, or their successors, and other fiscal  
29 control laws of this State, where applicable, and regulations promulgated by  
30 the Department of Finance and Administration, as authorized by law, shall be  
31 strictly complied with in disbursement of said funds.

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33 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this act shall be in compliance with the stated reasons for  
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
2 manuals prepared by the Department of Finance and Administration, letters, or  
3 summarized oral testimony in the official minutes of the Arkansas Legislative  
4 Council or Joint Budget Committee which relate to its passage and adoption.  
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6 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the  
7 General Assembly, that the Constitution of the State of Arkansas prohibits  
8 the appropriation of funds for more than a one (1) year period; that the  
9 effectiveness of this Act on July 1, 2023 is essential to the operation of  
10 the agency for which the appropriations in this Act are provided, and that in  
11 the event of an extension of the legislative session, the delay in the  
12 effective date of this Act beyond July 1, 2023 could work irreparable harm  
13 upon the proper administration and provision of essential governmental  
14 programs. Therefore, an emergency is hereby declared to exist and this Act  
15 being necessary for the immediate preservation of the public peace, health  
16 and safety shall be in full force and effect from and after July 1, 2023.  
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