

1 State of Arkansas

A Bill

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3 Regular Session, 2025

HOUSE BILL 1155

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5 By: Representative Warren

6 By: Senator J. Dotson

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For An Act To Be Entitled

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AN ACT TO CREATE A REBUTTABLE PRESUMPTION OF

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QUALIFICATION FOR DISABILITY RETIREMENT BENEFITS

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UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR

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MEMBERS WITH A SERVICE-CONNECTED TOTAL AND PERMANENT

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DISABILITY RATING FROM THE UNITED STATES DEPARTMENT

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OF VETERANS AFFAIRS; TO DECLARE AN EMERGENCY; AND FOR

15

OTHER PURPOSES.

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Subtitle

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TO CREATE A REBUTTABLE PRESUMPTION OF

20

QUALIFICATION FOR DISABILITY RETIREMENT

21

BENEFITS UNDER THE ARKANSAS TEACHER

22

RETIREMENT SYSTEM; AND TO DECLARE AN

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EMERGENCY.

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

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27 SECTION 1. Arkansas Code § 24-7-704(a)(1)(F), concerning a rebuttal
28 presumption of qualification to receive disability retirement benefits under
29 the Arkansas Teacher Retirement System, is amended to read as follows:

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(F) ~~A favorable determination letter from the Social~~

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~~Security Administration finding that the member is unable to perform his or~~
32 ~~her current work duties shall create a rebuttable presumption that the member~~
33 ~~qualifies to receive disability retirement benefits~~ A rebuttable presumption

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that a member qualifies to receive disability retirement benefits is created

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if the member submits a:

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(i) Favorable determination letter from the Social



1 Security Administration finding that the member is unable to perform his or
2 her current work duties; or

3 (ii) Service-connected disability rating from the
4 United States Department of Veterans Affairs finding that the member has a
5 one hundred percent (100%) permanent and total disability.

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7 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
8 General Assembly of the State of Arkansas that the operations of a state
9 public retirement system are complex; that the Arkansas Teacher Retirement
10 System must be able to meet the needs of its members as anticipated by the
11 General Assembly; that certain provisions of the Arkansas Teacher Retirement
12 System Act, § 24-7-201 et seq., need immediate revision and updating to
13 address administrative complexities caused by these provisions and to bring
14 these provisions into conformance with sound public pension policy and
15 actuarial requirements; that the revisions and updates are of great
16 importance to members of the Arkansas Teacher Retirement System and to other
17 citizens of the State of Arkansas; that as the Arkansas Teacher Retirement
18 System operates on a fiscal year of July 1 to June 30, an effective date of
19 July 1, 2025, is necessary in order to allow the provisions within this act
20 to begin on the first day of the fiscal year and to allow for a structured
21 and proper administration of the procedures referenced in this act; that the
22 updates and revisions to the Arkansas Teacher Retirement System Act are of
23 great importance and necessary for protecting member benefits and clarifying
24 the reporting and contribution requirements of employers participating in the
25 Arkansas Teacher Retirement System; and that this act is necessary in order
26 to maintain an orderly system of benefits for the members of the Arkansas
27 Teacher Retirement System. Therefore, an emergency is declared to exist, and
28 this act being necessary for the preservation of the public peace, health,
29 and safety, shall become effective on July 1, 2025.

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