

Proposed Rule Regarding DROP Provisions for ASPRS Members Called to Active Duty

PURPOSE: The Arkansas State Police Retirement System (ASPRS) seeks to amend ASPRS BOARD RULE 14 – NOV. 2003 which pertains to Deferred Retirement Option Plan (DROP) provisions for members called to active duty.

BACKGROUND: Pursuant to Ark. Code Ann. § 24-6-204(f)(1), the ASPRS Board has the authority to make all rules necessary to administer the State Police Retirement System. Act 250 of 2023 amended Ark. Code Ann. § 24-6-408 to standardize a six-month marriage period for a member to select a spousal option beneficiary, whether pre- or post- retirement.

KEY POINTS: The proposed amendment:

- (1) removes a reference to a one-year marriage period to align with Act 250 of 2023;
- (2) corrects a typographical error referencing an incorrect section of Arkansas Code; and
- (3) corrects references to a five (5) year duration for DROP participation to align with Act 1969 of 2005;

DISCUSSION: The current Rule addresses the administration of DROP participants who are called to active duty. Under the “Death While on Active Duty” section, there is a reference to a one-year marriage period requirement for a spouse to be eligible for survivor benefits. The proposed amendment removes that reference in compliance with Act 250 of 2023. That same section of the current Rule is corrected to reference than Ark. Code Ann. § 24-6-408 rather than Ark. Code Ann. § 24-6-508. Under, the “Maximum Participation Period” section, there are multiple references to a five (5) year limitation for DROP participation. Act 1969 of 2005 increased the duration for DROP participation from five (5) years to seven (7) years. The proposed amendment removes those references and instead references the corresponding statutes.

RECOMMENDATION: ASPRS recommends that the proposed amendment to ASPRS BOARD RULE 14 – NOV. 2003 be approved to comply with Act 250 of 2023 and correct references to Arkansas law.