

**REGULATION 219 – 2005 – ESTABLISHING RETIREMENT ELIGIBILITY  
PURSUANT TO ACT 2084 OF 2005**

Pursuant to Act 2084 of 2005, it is established that twenty-eight (28) years of actual service are required for a member to be eligible for an unreduced benefit prior to age sixty-five (65) when utilizing the contributory provisions of ACA 24-4-1101 et seq.

**REGULATION 311 – 2005 – ELECTION OF CONTRIBUTORY PROVISIONS  
OF ACT 2084 OF 2005.**

All non-contributory members electing to participate in the new contributory program shall commence contribution of five percent (5%) of salary with the first payroll processing period of the ensuing effective calendar month.

Members of APERS who are called to active military duty prior to July 1, 2005 shall, upon their return to covered employment, have six (6) months within which to opt into the new contributory program.

Notwithstanding the provisions of ACA 24-4-1101(c), a non-contributory member who terminates service after December 31, 2005, but returns to covered employment in less than six (6) months, shall have the option to become contributory at the hire date.

## **REGULATION 409 – 2005 – PURCHASE OF OUT-OF-STATE OR FEDERAL SERVICE CREDIT**

Pursuant to Act 2021 of 2005, permissible purchases of out-of-state public employment shall include service that, had it been performed in Arkansas would typically be covered by other state public retirement systems, such as teacher, law enforcement, and judiciary time. Such purchases shall be irrevocable once completed.

Establishment of out-of-state service purchases must be documented through the submission of a completed APERS form certified by the former out-of-state employer.

Pursuant to Act 2091 of 2005, permissible purchases of federal public employment must have adequate documentation of actual employment; service as a contractor, or other activity not otherwise covered for federal retirement benefits is not eligible for purchase. Federal service purchases must be documented through the submission of a completed APERS form certified by the former federal employer.

Out-of-state or federal service purchases will strictly be credited as actual service in APERS.

**BOARD REGULATION 410 - (May 18, 2005) – Purchase of Arkansas National Guard or Armed Forces Reserve Service.**

Under the provisions of Act 1027 of 2005, APERS members are eligible to purchase one year of service credit for time served in the Arkansas National Guard or Armed Forces Reserve. The member shall receive one (1) year of purchased service credit for five (5) years of compensated service in the Arkansas National Guard or in the Armed Forces Reserve.

Members are eligible to purchase one year of service in a lump sum payment. However, each calculation will be based on the most recent data (i.e. salary, employer rate) and interest will continue to accrue.

A copy of the Form DD-214 or other authorized military document will be utilized to document active duty (IADT, AD). All other National Guard service (Inactive duty training, (IDT), Annual Training (AT) and Active Duty for Training (ADT) must be documented with a copy of NGB Form 23 or other authorized military document.

Annual salary will be defined as “fiscal year salary” that is reported from July of one year to June of the next year. Likewise full year will be defined as “fiscal year” which is from July of one year to June of the next year.

Interest used in the calculation of said purchases, in compliance with ACA 24-2-502, will be at the rate of six percent (6%). When the average of the three (3) highest annual salaries earned at the time of purchase are utilized, interest will be calculated from the end of the most recent year of credited service to the date of payment of full.

Purchased service in the Arkansas National Guard or Armed Forces Reserve can't overlap purchased or free military service.