

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Canada**

**A BILL ACT 502 OF 1991**  
**SENATE BILL 306**

**For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 24-11-826 TO REMOVE THE CAP  
9 ON BENEFITS PAYABLE TO CERTAIN FIREFIGHTERS WHO SERVE MORE  
10 THAN TWENTY-FIVE YEARS; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. Arkansas Code 24-11-826(a) is hereby amended to read as  
15 follows:

16 "(a) Beginning July 1, 1987, in addition to the monthly pension  
17 benefits as set forth in §§ 24-11-801 - 24-11-807, 24-11-809, 24-11-810,  
18 24-11-812 - 24-11-815, and 24-11-818 - 24-11-821, for those fire fighters  
19 hired prior to January 1, 1983, and who continue to work beyond their  
20 twenty-fifth year, the member shall receive at age sixty (60) years and  
21 thereafter a benefit on the amount equal to one and one-fourth percent (1.25%)  
22 of final salary attached to the rank which he may have held in the department  
23 preceding the date of retirement multiplied by the number of years of service  
24 in excess of twenty-five (25) years, up to a maximum total benefit of  
25 seventy-five percent (75%) of final salary, provided that the maximum seventy-  
26 five percent (75%) of final salary shall no longer apply to benefits payable  
27 on April 30, 1991 and thereafter to persons retiring henceforth and to those  
28 persons who retired on or after July 1, 1987. However, in no case shall the  
29 benefit payment exceed one hundred percent (100%) of final salary."

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31 SECTION 2. All provisions of this Act of a general and permanent nature  
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 3. If any provision of this Act or the application thereof to  
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the Act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 Act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this Act are  
6 hereby repealed.

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8 SECTION 5. Emergency. It is hereby found and determined by the General  
9 Assembly that the cap on retirement benefits for firefighters who were hired  
10 prior to January 1, 1983 and who work more than twenty-five years as a  
11 firefighter should be eliminated; that this Act does eliminate the cap; that  
12 this Act should go into effect on April 30, 1991;  
13 and that this Act will not go into effect on April 30, 1991 unless this  
14 emergency clause is adopted. Therefore, an emergency is hereby declared to  
15 exist and this Act being immediately necessary for the preservation of the  
16 public peace, health and safety shall be in full force and effect from and  
17 after April 30, 1991.

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22 APPROVED: 3-13-91

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