

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Enrolled: H3/5/99 S4/6/99

A Bill

Act 1458 of 1999
HOUSE BILL 1503

5 By: Representative R. Smith, *Glover*
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 24-11-425 TO PROVIDE
10 THE SURVIVING CHILDREN OF DECEASED POLICE OFFICERS
11 UNDER LOCAL POLICEMEN'S PENSION AND RELIEF FUNDS WITH
12 AN ENHANCED SURVIVOR'S BENEFITS IN THE EVENT THERE IS
13 NO SURVIVING SPOUSE; AND FOR OTHER PURPOSES."

Subtitle

15 "TO ENHANCE THE SURVIVOR'S BENEFITS FOR
16 THE CHILDREN OF DECEASED POLICE OFFICERS
17 UNDER POLICE PENSION FUNDS WHEN THERE IS
18 NO SURVIVING SPOUSE."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 24-11-425(a), regarding the survivor's
25 benefits after the death of an active or retired member of a local policemen's
26 pension and relief fund, is amended to read as follows:

27 "(a) (1) If any active police officer or any retired member dies from
28 any cause, leaving a surviving spouse ~~or a child under the age of eighteen~~
29 ~~(18) years~~, then the board of trustees shall direct a monthly pension during
30 the surviving spouse's life in an amount equal to the pension attached to the
31 rank of the deceased police officer at the time of his death, but in no event
32 shall the benefit of the surviving spouse be less than three hundred fifty
33 dollars (\$350) per month.

34 (2) If any active police officer or any retired member dies from
35 any cause and leaves no surviving spouse, but has a surviving child or
36 children under the age of eighteen (18) years who have not completed high

1 school, then the board of trustees shall direct a monthly pension benefit to
2 such surviving child or children under the age of eighteen (18) years in an
3 aggregate amount to such children equal to the pension attached to the rank of
4 the deceased police officer at the time of his death, but in no event shall
5 the benefits to the surviving children be less than three hundred fifty
6 dollars (\$350) per month. However, if any child enrolls in an institution of
7 higher learning after completing high school, then the payment shall continue
8 as long as the child is a full-time student, but not beyond the child's
9 twenty-third birthday, unless he or she is a dependent child who is physically
10 or mentally permanently disabled.

11 (3) The board of trustees may continue a benefit for life for a
12 dependent child who is physically or mentally permanently disabled and this
13 fact is certified to the board by a physician on the board of trustees. The
14 board may first require that a second evaluation be performed by another
15 physician to be named by the trustees and they shall review the child's
16 disabled status from time to time, but at least every five (5) years."

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18 SECTION 2. Arkansas Code § 24-11-425(e), regarding the survivor's
19 benefits after the death of an active or retired member of a local policemen's
20 pension and relief fund, is amended to read as follows:

21 "(e)(1) In addition to the monthly pension provided in subsections (a)
22 and (b) of this section, the board of trustees shall order and direct the
23 payment of the sum of one hundred twenty-five dollars (\$125) per month to each
24 child under eighteen (18) years of age who has not completed high school.
25 However, if the child enrolls in an institution of higher learning after
26 completing high school, then the payment shall continue as long as the child
27 is a full-time student, but in no instance not beyond the child's twenty-third
28 birthday, unless he or she is a dependent child who is physically or mentally
29 permanently disabled.

30 (2) The board of trustees may continue a benefit for life for a
31 dependent child who is physically or mentally permanently disabled and this
32 fact is certified to the board by a physician on the board of trustees. The
33 board may first require that a second evaluation be performed by another
34 physician to be named by the trustees and they shall review the child's
35 disabled status from time to time, but at least every five (5) years."

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SECTION 3. No benefit enhancement provided for by this act shall be implemented if it would cause the publicly supported retirement system's unfunded actuarial accrued liabilities to exceed a thirty (30) year amortization. No benefit enhancement provided for by this act shall be implemented by any publicly supported system which has unfunded actuarial accrued liabilities being amortized over a period exceeding thirty (30) years until the unfunded actuarial accrued liability is reduced to a level less than the standards prescribed by Arkansas Code, Title 24.

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ R. Smith, et al

APPROVED: 4/15/1999