

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 386 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S1/27/05

**A Bill**

SENATE BILL 173

5 By: Senators Faris, J. Jeffress  
6 By: Representative Adams  
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**For An Act To Be Entitled**

10 AN ACT TO REMOVE THE PHYSICIAN AND INCREASE THE  
11 NUMBER OF ACTIVE OR RETIRED MEMBERS OF THE BOARD  
12 OF TRUSTEES OF THE LOCAL POLICE AND FIRE PENSION  
13 AND RELIEF FUNDS; AND FOR OTHER PURPOSES.  
14

**Subtitle**

15 AN ACT TO REMOVE THE PHYSICIAN AND  
16 INCREASE THE NUMBER OF ACTIVE OR RETIRED  
17 MEMBERS OF THE BOARD OF TRUSTEES OF THE  
18 LOCAL POLICE AND FIRE PENSION AND RELIEF  
19 FUNDS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 24-11-405(a), pertaining to the board of  
26 trustees, is amended as follows:

27 (a) The board of trustees of the policemen's pension and relief fund  
28 shall consist of seven (7) members as follows:

29 (1) The chief executive officer of the city, who shall be chair  
30 of the board;

31 (2) The city treasurer, who shall be the treasurer of the fund;

32 (3)(A)(i) ~~Four (4)~~ Five (5) active or retired members of the  
33 pension fund.

34 (ii)(a) The active pension fund members shall elect  
35 the active members by secret written ballot in May of each year, with the



1 member or members to be chosen in alternating years.

2 (b) The retired member or members shall be  
3 chosen in May of each year by a method to be determined by the board, with  
4 the member or members to be chosen in alternating years.

5 (c) All member trustees shall serve two-year  
6 terms.

7 (iii) If there are no active members of the pension  
8 fund, all ~~four (4)~~ five (5) employee members shall be elected from and by the  
9 retired membership of the pension fund.

10 (B) The board shall select one (1) of the police members  
11 as secretary of the board to serve for a period of two (2) years or until his  
12 or her successor is elected and qualified.

13 (C) However, if no retirant is available to serve on the  
14 board, all ~~four (4)~~ five (5) employee positions shall be held by active  
15 members of the pension fund and shall all be elected by secret ballot by the  
16 active members of the pension fund for two-year terms as provided in  
17 subdivision (a)(3)(A) of this section.

18 (D) The board shall have the power to make all rules and  
19 regulations needful for its guidance to implement the provisions regarding  
20 board composition; and

21 ~~(4) The six (6) members provided for in subdivisions (1) (3) of~~  
22 ~~this subsection shall elect one (1) more member who shall be a reputable~~  
23 ~~physician and who shall represent the board of trustees in the examination of~~  
24 ~~any member of the department upon a claim of disability; and~~

25 ~~(5)(4)~~ The number of active members or retired members to serve  
26 on the board shall be determined by the proportionate number of active  
27 members to retired members as follows:

28 (A) When the number of active members equals seventy-five  
29 percent (75%) of the total of retired members and active members, the board  
30 shall be composed of ~~three (3)~~ four (4) active members and one (1) retired  
31 member;

32 (B) When the number of active members equals fifty percent  
33 (50%) of the total of retired members and active members, the board shall be  
34 composed of ~~two (2)~~ three (3) active members and two (2) retired members; and

35 (C) When the number of retired members equals seventy-five  
36 percent (75%) of the total of retired members and active members, the board

1 shall be composed of one (1) active member and four (4) retired members.

2 /s/ Faris

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APPROVED: 2/24/2005

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