

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.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

As Engrossed: S2/19/03

# A Bill

Act 355 of 2003  
SENATE BILL 236

5 By: Senator Glover  
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7

## For An Act To Be Entitled

9 AN ACT CONCERNING PAYMENT OF CLAIMS TO SURVIVORS  
10 OF CERTAIN OFFICERS KILLED IN THE LINE OF DUTY;  
11 AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT CONCERNING PAYMENT OF CLAIMS TO  
14 SURVIVORS OF CERTAIN OFFICERS KILLED IN  
15 THE LINE OF DUTY.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 21-5-705 is amended to read as follows:

22 21-5-705. ~~Financial identity fraud~~ Payment of claim to survivors of  
23 certain specified public employees killed in the line of duty - Funds.

24 (a) The state shall pay the additional sum of seventy-five thousand  
25 dollars (\$75,000) to the surviving spouse or surviving children under the age  
26 of twenty-two (22) of any:

27 (1) Police officer, wildlife enforcement officer of the Arkansas  
28 State Game and Fish Commission, commissioned law enforcement officer or  
29 emergency response employee of the State Parks Division of the Department of  
30 Parks and Tourism, Department of Community Correction employee, or employee  
31 of the Department of Correction whose death occurred+  
32

(A) ~~After July 1, 1987~~ January 1, 2003; and

(B) *Either:*

34 (i) *In the official line of duty and was the result*  
35 *of a criminal or negligent action of another person or persons, or was the*  
36 *result of the engagement in exceptionally hazardous duty; or*



1 (ii) In the line of duty while the officer or  
2 employee was performing emergency medical activities; and

3 (2) Fire fighter or employee of the State Forestry Commission  
4 killed after July 1, 1987, while responding to, engaging in, or returning  
5 from a fire, a rescue incident, a hazardous material or bomb incident, an  
6 emergency medical activity, or simulated training thereof.

7 (b) In addition to the benefits provided for in subsection (a) of this  
8 section, the state shall pay the additional sum of twenty-five thousand  
9 dollars (\$25,000) to the spouse or surviving children under the age of  
10 twenty-two (22) of any police officer, wildlife enforcement officer of the  
11 Arkansas State Game and Fish Commission, commissioned law enforcement officer  
12 of the State Parks Division of the Department of Parks and Tourism,  
13 Department of Community Correction employee, or employee of the Department of  
14 Correction:

15 (1) Who was wearing a bulletproof vest approved by the Director  
16 of the Department of Arkansas State Police; and

17 (2) Whose death occurred:

18 (A) After July 1, 1989; and

19 (B) In the official line of duty and was the result of a  
20 criminal action of another person or persons.

21 (c) The benefits shall be paid totally from state funds appropriated  
22 therefor. The funds shall not be reimbursed by a transfer or charging the  
23 funds against any state funds allocated for turnback to cities or counties or  
24 distributed to any other state department agency fund account other than the  
25 Arkansas State Claims Commission fund accounts and the Miscellaneous  
26 Revolving Fund Account.

27 (d) The additional benefits provided in this section shall be paid to  
28 the surviving spouse, surviving children, or surviving parents in three (3)  
29 equal annual payments, the first of which shall be paid in July of the next  
30 fiscal year after the date of the original order of the Arkansas State Claims  
31 Commission establishing entitlement to additional payments and annually  
32 thereafter.

33 (e) Determination of eligibility for the additional payments provided  
34 in this section shall be made by the Arkansas State Claims Commission in  
35 accordance with commission rules and procedures.

36 /s/ Glover

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*APPROVED: 3/13/2003*