

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

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 3, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO INCLUDE PUBLIC SAFETY OFFICERS
10 EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION AS PUBLIC
11 SAFETY MEMBERS FOR RETIREMENT PURPOSES; AND FOR OTHER
12 PURPOSES."

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

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16 SECTION 1. Arkansas Code 24-3-102(5) is hereby amended to read as
17 follows:

18 "(5) 'Public safety member' means a member whose covered employment is
19 for personal services as a police officer or fire fighter. 'Police officer'
20 means any regular or permanent employee, whose primary duty is law enforcement
21 of a municipal police department, a county sheriff's office, or the Arkansas
22 State Police, including probationary police officers, and shall also include
23 wildlife officers of the Arkansas State Game and Fish Commission and public
24 safety officers employed by a state-supported institution of higher education.
25 The term 'police officer' shall not include any civilian employee of a
26 police department or any person temporarily employed as a police officer
27 during an emergency. 'Fire fighter' means any regular or permanent employee
28 of a fire department whose primary duty is fire fighting, including
29 probationary fire fighters, but the term 'fire fighter' shall not include any
30 civilian of a fire department or any person temporarily employed as a fire
31 fighter during an emergency;"

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33 SECTION 2. Title 24, Chapter 3, Subchapter 1 of the Arkansas Code of
34 1987 is hereby amended by adding a new section to read as follows:

35 "24-3-107. Determination of benefits for public safety officers of

1 institutions of higher education. Responsibility for additional costs.

2 (a) For purposes of determining benefits under this chapter, all
3 credited service, whenever earned, of persons employed as public safety
4 officers of state-supported institutions of higher education and of persons
5 thereafter employed in such positions shall be treated as public safety member
6 service.

7 (b) The additional cost to the system of this section shall be the
8 responsibility of the institution in which the officer is employed and the
9 institution shall pay to the system any additional percent of covered payroll,
10 as computed by actuarial determination, at the same time as employer
11 contributions are paid by law for other institution employees.

12 (c) It is the specific intent of this section to provide that the
13 contributions determined by actuarial valuation shall be in addition to those
14 required by 24-3-103(c)."

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17 SECTION 3. All provisions of this Act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 4. If any provision of this Act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the Act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 Act are declared to be severable.

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

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30 SECTION 6. EMERGENCY. It is hereby found and determined by the General
31 Assembly that the Public Employees Retirement System Law should be amended to
32 include public safety officers employed by institutions of higher education as
33 public safety members; this Act so provides; and that until this Act becomes
34 effective public safety officers will not receive the same treatment under the
35 retirement laws as other retirement system members in comparable jobs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 immediately necessary for the preservation of the public peace, health and
3 safety shall be in full force and effect from and after its passage and
4 approval.

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