

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

# A Bill

**SENATE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 24-3-102 TO INCLUDE  
9 CORRECTIONAL OFFICERS AND CERTAIN STAFF OF THE DEPARTMENT  
10 OF CORRECTION AS PUBLIC SAFETY MEMBERS FOR RETIREMENT  
11 PURPOSES; AND FOR OTHER PURPOSES."

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

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

17 "(5) 'Public safety member' means a member whose covered employment is  
18 for personal services as a police officer or fire fighter. 'Police officer'  
19 means any regular or permanent employee, whose primary duty is law enforcement  
20 of a municipal police department, a county sheriff's office, or the Arkansas  
21 State Police, including probationary police officers, and shall also include  
22 wildlife officers of the Arkansas State Game and Fish Commission and  
23 correctional officers and staff employed by the Arkansas Department of  
24 Correction whose duties include direct contact with inmates at state  
25 correctional units. The term 'police officer' shall not include any civilian  
26 employee of a police department or any person temporarily employed as a police  
27 officer during an emergency. 'Fire fighter' means any regular or permanent  
28 employee 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. All provisions of this Act of a general and permanent nature  
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
35 Revision Commission shall incorporate the same in the Code.

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SECTION 3. 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 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that the Public Employees Retirement System Law should be amended to include correctional officers as public safety members; this Act so provides; and that until this Act becomes effective correctional officers will not receive the same treatment under the retirement laws as other retirement system members in comparable jobs. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

