

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 11, SUBCHAPTER 8 OF THE
9 ARKANSAS CODE OF 1987 TO PROVIDE A COST-OF-LIVING INCREASE
10 IN BENEFITS FOR RETIRED FIREFIGHTERS; TO PROVIDE A MEANS
11 FOR FUNDING THE INCREASE; AND FOR OTHER PURPOSES."

12
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14
15 SECTION 1. Title 24, Chapter 11, Subchapter 8 of the Arkansas Code of
16 1987 is hereby amended by adding a new section to read as follows:

17 "24-11-827. Redetermination of benefits.

18 (a) Beginning with the July 1 which is at least twelve (12) full months
19 after the effective date of a monthly benefit, the amount of the benefit shall
20 be redetermined effective each July 1, and the redetermined amount shall be
21 payable for the ensuing year.

22 (b) Subject to the maximum stated in subsection (c) of this section,
23 the redetermined amount shall be the amount of the benefit otherwise payable
24 multiplied by the following percent: one hundred percent (100%), plus three
25 percent (3%) for each full year, but excluding any fraction of a year, in the
26 period from the effective date of the benefit to the current July 1.

27 (c) In no event shall the redetermined amount be less than the amount
28 of the benefit otherwise payable or more than the amount of the benefit
29 otherwise payable increased by one-half (1/2) of any percentage increase in
30 the inflation index for the period from the December immediately preceding the
31 effective date of the benefit to the December immediately preceding the July
32 1.

33 (d) For purposes of this section, 'the amount of the benefit otherwise
34 payable' means the monthly amount of benefit which would be payable
35 disregarding the provisions redetermining benefit amounts after retirement.

1 (e) For purposes of this section, 'inflation index' means the Consumer
2 Price Index for Urban Wage Earners and Clerical Workers, U.S. City Average, as
3 determined by the United States Department of Labor and in effect January 1,
4 1981; should the inflation index be restructured subsequent to 1980 in a
5 manner materially changing its character, the board, after receiving the
6 advice of its actuary, shall change the application of the inflation index so
7 that, as far as is practicable, the 1980 intent of the use of the inflation
8 index shall be continued."

9

10 SECTION 2. Subsection (a) of Arkansas Code 24-11-816 is hereby amended
11 to read as follows:

12 "(a) (1) Within sixty (60) days from July 1, 1975, each full-paid fire
13 fighter and each part-paid fire fighter whose salary is fifty dollars (\$50.00)
14 or more per month, each part-paid fire fighter whose salary is less than fifty
15 dollars (\$50.00) per month, and each active volunteer fire fighter employed in
16 the fire department of any city or town in this state, who desires that he and
17 his beneficiaries participate in the firemen's relief and pension fund of the
18 city or town, as created under Acts 1921, No. 491, shall file a statement with
19 the secretary of the board of trustees of the firemen's relief and pension
20 fund of the city or town. This statement, in writing under oath, shall state
21 that he desires that he and his beneficiaries participate in the benefits from
22 the fund.

23 (2) The statement shall include the name and age of those persons
24 immediately dependent upon him and shall authorize the governing body of the
25 city to deduct from his salary such percentage, not less than seven and sixty-
26 five hundredths percent (7.65%) thereof, as may be approved for deduction by
27 the local firemen's pension board.

28 (3) The statement of an active volunteer fire fighter shall
29 include a promise and an obligation to pay to the board of trustees the sum of
30 twelve dollars (\$12.00) per year.

31 (4) Any municipality or fire protection district in which a
32 firemen's pension and relief fund is established shall contribute to the
33 firemen's pension and relief fund an amount:

34 (A) Not less than seven and sixty-five hundredths percent
35 (7.65%) of the fire fighter's salary; or

1 (B) Equal to the contribution paid by any volunteer fire
2 fighters who are members of the fund."

3

4 SECTION 3. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

7

8 SECTION 4. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

13

14 SECTION 5. All laws and parts of laws in conflict with this act are
15 hereby repealed.

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1

2