

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Hawkins**

A Bill

HOUSE BILL 1693

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 21-5-705 TO ELIMINATE THE
9 REQUIREMENT FOR PAYMENT OF A DEATH BENEFIT THAT AN OFFICER
10 MUST BE KILLED AS THE RESULT OF CRIMINAL ACTION; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "ELIMINATE REQUIREMENT FOR PAYMENT OF A DEATH BENEFIT THAT
15 AN OFFICER_S DEATH MUST RESULT FROM CRIMINAL ACTION."

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

19 *SECTION 1. Arkansas Code 21-5-705 is amended to read as follows:*

20 *"§21-5-705. Payment of claim to survivors of certain officers killed on*
21 *duty - Funds.*

22 *(a) The state shall pay to the surviving spouse, surviving children, or*
23 *surviving parents of any police officer, wildlife enforcement officer of the*
24 *Arkansas Game and Fish Commission, commissioned law enforcement officer or*
25 *emergency response employee of the State Parks Division of the Department of*
26 *Parks and Tourism, or employee of the Department of Correction whose death*
27 *occurred in the official line of duty and was the result of a criminal action*
28 *of another person or persons or whose death occurred in the line of duty while*
29 *the officer or employee was performing emergency medical activities and to the*
30 *surviving spouse, surviving children, or surviving parents of any firefighter*
31 *killed while in the official performance of his duties or whose death occurred*
32 *in the line of duty while the firefighter was performing emergency medical*
33 *activities, the additional sum of seventy-five thousand dollars (\$75,000),*
34 *provided the death occurs after July 1, 1987.*

35 *(b) In addition to the benefits provided for in subsection (a) of this*

1 section, the state shall pay to the spouse or surviving children of any police
2 officer, wildlife enforcement officer of the Arkansas Game and Fish
3 Commission, commissioned law enforcement officer of the State Parks Division
4 of the Department of Parks and Tourism, or employee of the Department of
5 Correction who was wearing a bullet proof vest approved by the Director of the
6 Arkansas State Police and whose death occurred in the official line of duty
7 and was the result of a criminal action of another person or persons, the
8 additional sum of twenty-five thousand dollars (\$25,000) provided the death
9 occurs after July 1, 1989.

10 (c) The benefits shall be paid totally from state funds appropriated
11 therefor. The funds shall not be reimbursed by a transfer or charging the
12 funds against any state funds allocated for turnback to cities or counties or
13 distributed to any other state department agency fund account other than the
14 State Claims Commission Fund accounts and the Miscellaneous Revolving Fund
15 Account.

16 (d) The additional benefits provided in this section shall be paid to the
17 surviving spouse, surviving children, or surviving parents in three (3) equal
18 annual payments, the first of which shall be paid in July of the next fiscal
19 year after the date of the original order of the State Claims Commission
20 establishing entitlement to additional payments and annually thereafter.

21 (e) Determination for eligibility for the additional payments provided in
22 this section shall be made by the State Claims Commission in accordance with
23 commission rules and procedures."
24

25 SECTION 2. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.
28

29 SECTION 3. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.
34

35 SECTION 4. All laws and parts of laws in conflict with this act are

1 hereby repealed.

2

3

4

/s/Bruce Hawkins

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

As Engrossed: 3/10/93 4/7/93

HB 1693

1

2

3

vjf376