

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

A Bill

HOUSE BILL 1742

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-11-413 TO PROVIDE THAT
9 IN A CITY HAVING A POPULATION OF BETWEEN SIXTY THOUSAND
10 (60,000) AND SIXTY-FIVE THOUSAND (65,000) PERSONS
11 ACCORDING TO THE 1990 FEDERAL DECENNIAL CENSUS TEN PERCENT
12 (10%) OF ALL COSTS COLLECTED BY POLICE DEPARTMENT IN SUCH
13 CITY MAY BE DEPOSITED INTO THE POLICE PENSION FUND; AND
14 FOR OTHER PURPOSES."

Subtitle

16 "TO AUTHORIZE CITIES WITH BETWEEN 60,000 AND 65,000
17 PERSONS TO COLLECT 10% OF COURT COSTS TO BE EARMARKED FOR
18 THE POLICE PENSION FUND."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code §24-11-413(a) is amended to read as follows:

24 "24-11-413. Moneys added to fund - Contributions.

25 (a) There shall be added to the fund the following moneys:

26 (1) All forfeitures and fines imposed upon any member of the
27 police department by way of discipline;

28 (2) All money given or donated to the fund;

29 (3) All money deducted from the salary of any member of the
30 police department on account of absence or loss of time;

31 (4) All rewards paid for any purpose;

32 (5) Ten percent (10%) of all fines and forfeitures collected by
33 the police department of the city for violation of ordinances or state law;

34 (6) Six percent (6%) of the monthly salary of each member of the
35 department, to be deducted each month by the city and immediately paid to the

1 board of trustees of the policemen's pension and relief fund; however, the
2 monthly deduction shall be four percent (4%) for police officers contributing
3 to social security unless increased, but not to exceed six percent (6%), by
4 the majority vote of the contributing members of a police department covered
5 by social security; and

6 (7) In a city having a population of between sixty thousand
7 (60,000) and sixty-five thousand (65,000) persons, according to the 1990
8 federal decennial census, ten percent (10%) of all court costs collected by
9 the police department of the city for violation of city ordinances or state
10 law may, if provided for by city ordinance, be added to the fund."

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12 SECTION 2. Costs previously collected and deposited into police pension
13 funds are hereby declared to have been lawfully collected and deposited into
14 those funds and they shall not be withdrawn except for paying benefits from
15 the fund.

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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 Arkansas Code 24-11-413 provided that ten percent (10%) of fines
32 and forfeitures collected by city police departments are to be deposited into
33 the police pension fund; that some police departments have also collected
34 costs and deposited in those funds; that this act clarifies the law to
35 specifically require ten percent (10%) of those costs to be deposited into the

1 funds; and that until this act takes effect the law is unclear on this point.
2 Therefore, an emergency is hereby declared to exist and this act being
3 necessary for the immediate preservation of the public peace, health and
4 safety shall be in full force and effect from and after its passage and
5 approval.

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/s/Carol Henry

As Engrossed: 3/23/93 4/8/93

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