

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

A Bill

SENATE BILL 276

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-3-102 TO INCLUDE
9 CORRECTIONAL OFFICERS, CERTAIN STAFF OF THE DEPARTMENT OF
10 CORRECTION, AND STATE-FUNDED CIRCUIT COURT ADULT PROBATION
11 OFFICE STAFF AS PUBLIC SAFETY MEMBERS FOR RETIREMENT
12 PURPOSES; TO AMEND TITLE 24, CHAPTER 3, OF THE ARKANSAS
13 CODE OF 1987, ANNOTATED TO ADD A NEW SECTION ARKANSAS CODE
14 § 24-3-107 TO MAKE THE DEPARTMENT OF CORRECTION
15 RESPONSIBLE FOR ANY ADDITIONAL RETIREMENT COSTS; AND FOR
16 OTHER PURPOSES."

Subtitle

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19 "TO INCLUDE CORRECTIONAL OFFICERS AND CERTAIN STAFF OF THE
20 DEPARTMENT OF CORRECTION AS PUBLIC SAFETY MEMBERS FOR
21 RETIREMENT PURPOSES AND RETIREMENT COSTS."

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

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25 SECTION 1. Subdivision (5) of Arkansas Code 24-3-102 is hereby amended
26 to read as follows:

27 "(5) Public safety member means a member whose covered employment is
28 for personal services as a police officer or fire fighter. Police officer
29 means any regular or permanent employee, whose primary duty is law
30 enforcement, of a municipal police department, a county sheriff's office, or
31 the Arkansas State Police, including probationary police officers, and shall
32 also include wildlife officers of the Arkansas State Game and Fish Commission
33 and correctional officers and staff employed by the Arkansas Department of
34 Correction, including parole officers whose duties include direct contact with
35 inmates or parolees and state-funded circuit court adult probation officers of

1 the Arkansas Adult Probation Commission. The term police officer shall not
2 include any civilian employee of a police department or any person temporarily
3 employed as a police officer during an emergency. Fire fighter means any
4 regular or permanent employee of a fire department whose primary duty is fire
5 fighting, including probationary fire fighters, but the term fire fighter
6 shall not include any civilian of a fire department or any person temporarily
7 employed as a fire fighter during an emergency;"

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9 SECTION 2. Title 24, Chapter 3, of the Arkansas Code of 1987, Annotated
10 is hereby amended to add a new Section to read as follows:

11 "24-3-107. Benefits for correctional officers - Responsibility for
12 additional costs.

13 (a) For purposes of determining retirement benefits under this chapter,
14 all credited service, whenever earned, of persons employed as correctional
15 officers and staff employed by the Arkansas Department of Correction,
16 including parole officers whose duties include direct contact with inmates or
17 parolees and of persons employed as state-funded circuit court adult probation
18 officers by the Arkansas Adult Probation Commission on the effective date of
19 this section, and of persons thereafter employed in such positions shall be
20 treated as public safety member service.

21 (b) The additional cost to the system of this section shall be the
22 responsibility of the Arkansas Department of Correction and the Arkansas Adult
23 Probation Commission, and the department and commission shall pay to the
24 system any additional percent of covered payroll, as computed by actuarial
25 determination, at the same time as employer contributions are paid by law for
26 other employees.

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

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31 SECTION 3. All provisions of this act of general and permanent nature
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 4. If any provisions of this act or the application thereof to

1 any person or circumstance is held invalid, the invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provisions or application, and to this end the provisions of this
4 act are declared to be severable.

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

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/s/ Senator Bookout

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