1	State of Arkansas	*As Engrossed: S2/19/03*
2	84th General Assembly	**A Bill**
3	Regular Session, 2003	SENATE BILL 236

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5   By: Senator Glover

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8   **For An Act To Be Entitled**

9   AN ACT CONCERNING PAYMENT OF CLAIMS TO SURVIVORS

10   OF CERTAIN OFFICERS KILLED IN THE LINE OF DUTY;

11   AND FOR OTHER PURPOSES.

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13   **Subtitle**

14   AN ACT CONCERNING PAYMENT OF CLAIMS TO

15   SURVIVORS OF CERTAIN OFFICERS KILLED IN

16   THE LINE OF DUTY.

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

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

22   21-5-705. ~~Financial identity fraud~~ <u>Payment of claim to survivors of</u>

23   <u>certain *specified public employees* killed in the line of duty - Funds.</u>

24   (a) The state shall pay the additional sum of seventy-five thousand

25   dollars ($75,000) to the surviving spouse or surviving children under the age

26   of twenty-two (22) of any:

27   (1) Police officer, wildlife enforcement officer of the Arkansas

28   State Game and Fish Commission, commissioned law enforcement officer or

29   emergency response employee of the State Parks Division of the Department of

30   Parks and Tourism, Department of Community Correction employee, or employee

31   of the Department of Correction whose death occurred~~:~~

32   *(A) After ~~July 1, 1987~~ <u>January 1, 2003</u>; and*

33   *(B) Either:*

34   *(i) In the official line of duty and was the result*

35   *of a criminal <u>or negligent</u> action of another person or persons<u>, or was the</u>*

36   <u>*result of the engagement in exceptionally hazardous duty*</u>*; or*

1   *(ii)   In the line of duty while the officer or*
2   *employee was performing emergency medical activities; and*
3   (2)   Fire fighter or employee of the State Forestry Commission
4   killed after July 1, 1987, while responding to, engaging in, or returning
5   from a fire, a rescue incident, a hazardous material or bomb incident, an
6   emergency medical activity, or simulated training thereof.
7   (b)   In addition to the benefits provided for in subsection (a) of this
8   section, the state shall pay the additional sum of twenty-five thousand
9   dollars ($25,000) to the spouse or surviving children under the age of
10   twenty-two (22) of any police officer, wildlife enforcement officer of the
11   Arkansas State Game and Fish Commission, commissioned law enforcement officer
12   of the State Parks Division of the Department of Parks and Tourism,
13   Department of Community Correction employee, or employee of the Department of
14   Correction:
15   (1)   Who was wearing a bulletproof vest approved by the Director
16   of the Department of Arkansas State Police; and
17   (2)   Whose death occurred:
18   (A)   After July 1, 1989; and
19   (B)   In the official line of duty and was the result of a
20   criminal action of another person or persons.
21   (c)   The benefits shall be paid totally from state funds appropriated
22   therefor. The funds shall not be reimbursed by a transfer or charging the
23   funds against any state funds allocated for turnback to cities or counties or
24   distributed to any other state department agency fund account other than the
25   Arkansas State Claims Commission fund accounts and the Miscellaneous
26   Revolving Fund Account.
27   (d)   The additional benefits provided in this section shall be paid to
28   the surviving spouse, surviving children, or surviving parents in three (3)
29   equal annual payments, the first of which shall be paid in July of the next
30   fiscal year after the date of the original order of the Arkansas State Claims
31   Commission establishing entitlement to additional payments and annually
32   thereafter.
33   (e)   Determination of eligibility for the additional payments provided
34   in this section shall be made by the Arkansas State Claims Commission in
35   accordance with commission rules and procedures.
36   */s/ Glover*

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