

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 1097 OF 1993
HOUSE BILL 1393

4 **By: Representative Hawkins, Shaver, Murphy, J.S. Miller, Cunningham, Newman, George,**
5 **Townsend, M. Wilson, Willems, Holland, Arnold, Mitchell, Baker, Wingfield, Blair,**
6 **Mullenix, Sanson, Northcutt, Jones, Purdom, Jordan, Walker, McGee, Hunton, Steele,**
7 **Henry, Sheid, Stalnaker, and Cash**

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For An Act To Be Entitled

11 "AN ACT TO AMEND ARKANSAS CODE § 24-3-102(5) TO INCLUDE
12 THE ARKANSAS STATE CAPITOL POLICE WITHIN THE DEFINITION OF
13 PUBLIC SAFETY MEMBER IN THE PUBLIC EMPLOYEES RETIREMENT
14 SYSTEM; TO AMEND TITLE 24, CHAPTER 3, OF THE ARKANSAS CODE
15 OF 1987, ANNOTATED TO ADD A NEW SECTION TO MAKE THE
16 SECRETARY OF STATE'S OFFICE RESPONSIBLE FOR ANY ADDITIONAL
17 RETIREMENT COSTS; AND FOR OTHER PURPOSES."

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Subtitle

20 "AN ACT TO INCLUDE THE ARKANSAS STATE CAPITOL POLICE
21 WITHIN THE DEFINITION OF PUBLIC SAFETY MEMBER."

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

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25 SECTION 1. Arkansas Code 24-3-102(5) is hereby amended to read as
26 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 enforcement
30 of a municipal police department, a county sheriff's office, or the Arkansas
31 State Police, including probationary police officers, and shall also include
32 wildlife officers of the Arkansas State Game and Fish Commission, and all
33 officers and the director of the State Capitol Police within the Secretary of
34 State's Office. The term police officer shall not include any civilian
35 employee of a police department or any person temporarily employed as a police
36 officer during an emergency. Fire fighter means any regular or permanent

1 employee of a fire department whose primary duty is fire fighting, including
2 probationary fire fighters, but the term *_fire fighter_* shall not include any
3 civilian of a fire department or any person temporarily employed as a fire
4 fighter during an emergency;"

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6 SECTION 2. The retirement credits for which the officers of the State
7 Capitol Police within the Secretary of State's Office would be eligible under
8 this act shall apply retroactive to the implementation of Act 793 of 1977;
9 except that eligibility for the retroactive benefits shall be restricted to
10 employees who retire after July 1, 1993.

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

14 "24-3-107. Benefits for State Capitol Police - Responsibility for
15 additional costs.

16 (a) For purposes of determining retirement benefits under this chapter,
17 all credited service, whenever earned, of persons employed as an officer or
18 the director of the State Capitol Police by the Secretary of State's Office on
19 the effective date of this section, and of persons thereafter employed in such
20 positions shall be treated as public safety member service.

21 (b) The additional cost to the system of this section shall be the
22 responsibility of the Secretary of State's Office, and the office shall pay to
23 the system any additional percent of covered payroll, as computed by actuarial
24 determination, at the same time as employer contributions are paid by law for
25 other employees.

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

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

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34 SECTION 5. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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

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/s/Bruce Hawkins, et al

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APPROVED: 04/13/93

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As Engrossed: 2/18/93 2/23/93

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